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Canada Royal Commission on
employment of firemen on diesel
locomotives in freight and yard
service on the Canadian Pacific
Railway.

Proceedings 1957
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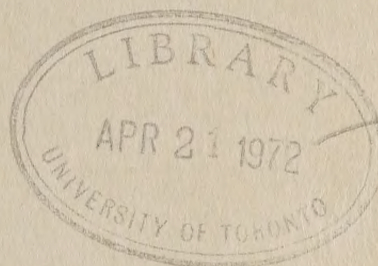
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**ROYAL COMMISSION ON EMPLOYMENT OF FIREMEN
ON DIESEL LOCOMOTIVES IN FREIGHT AND YARD
SERVICE ON THE CANADIAN PACIFIC RAILWAY**

17 34-36

PROCEEDINGS



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Chairman

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ROYAL COMMISSION ON EMPLOYMENT OF
FIREMEN ON DIESEL LOCOMOTIVES IN
FREIGHT AND YARD SERVICE ON THE
CANADIAN PACIFIC RAILWAY

Proceedings of public
hearing held at Ottawa,
Ontario, Thursday, May 9,
1957

PRESENT:

Hon. R. L. Kellock,	Chairman
Hon. C. C. McLaurin,	Member
Hon. Jean Martineau,	Member
Douglas M. Fraser,	Secretary
A. R. Winship,	Asst. Secretary

APPEARANCES:

D. W. Mundell, Q.C., C. J. A. Hughes, Q.C.,	Representing the Commission
I. D. Sinclair, Allan Findlay,	Representing the Canadian Pacific Railway Company
David Lewis,	Representing the Brotherhood of Locomotive Firemen and Enginemen

Thursday,
May 9, 1957.

34th DAY

MORNING SESSION

-----The Commission opened at 10.00 a.m.

R. A. EMERSON, recalled.

EXAMINED BY MR. LEWIS:

Q I will not trouble you very much longer, Mr. Emerson.

A It is no trouble.

Q Do not invite me as we have been at this long enough. In regard to safety, you stated also that in your opinion there was a possibility of distraction in the presence of a fireman on a diesel engine. What is that statement based on?

A That is based on my own feeling, my own experience. If you are working in a place with someone around who is not particularly occupied, has not specific duties related to the performance of the task in hand, I think that is a source of distraction. That is my own experience.

Q It is just your conclusion from thinking it out yourself?

A And from my experience, under not the same but similar circumstances.

Q Mr. Emerson, what are the usual relations between the engineer and fireman or helper?

A Relations?

Q Yes.

A In what respect?

Q Suppose you take a regularly assigned engineer and a regularly assigned helper; they share the same bunk house, do they

not, at any lay-over point?

A I think that is so.

Q Have you ever been in those bunk houses?

A Oh, yes, many times.

Q I am sure you have. They cook their meals at the same time and eat together in the bunk house?

A Sometimes; sometimes they do and other times there is evidence of, shall we say, strained relations between two members of the same engine crew.

Q What kind of evidence have you seen, Mr. Emerson?

A Instances in which the men were rather reluctant to speak to one another or deal with one another except when necessary for the performance of their duties.

Q That would simply be human nature when two people do not get along, that is what you are saying?

A That is what I am saying.

Q Aside from that, aside from the fact that there is always the possibility two men will not get along, am I not right in suggesting to you that the engineer and fireman over the years have worked together and have a relationship that flows from that?

A Yes, I agree with that.

Q For example, I suppose you have seen, as

I have in only one or two visits, them sitting in and playing cards together while they were waiting together in a bunk house?

A I am sure that takes place.

Q Is it not reasonable to assume that in that relationship they frequently discuss their work, the handling of the engine, their experiences and so on?

A And their schedules.

Q And their schedules?

A Yes.

Q I am sure they discuss those. By schedules you mean their labour agreements?

A Collective agreements.

Q Hoping to get into the one schedule what they think is better in the other one?

A To get the best of both worlds.

Q I do not suppose you can condemn that?

A Well, in my view it is a rather short-sighted approach to any situation of that kind.

Q It may well be short-sighted, but it is not an unknown human failing to want the best of two worlds?

A It is not unique.

Q It is not unique to firemen?

A Yes.

Q It is true of vice-presidents and barristers?

- A I do not know whether I would quite take it that way in those cases. I think we are more realistic, or ^{so} I hope.
- Q Have you discussed this question of distraction with engineers?
- A No, I cannot say I have because I can well appreciate that under present circumstances they would be very reluctant to give me a factual expression of opinion on it.
- Q Well, whatever the reason may be, that again is an opinion of yours as to whether or not they would give you a factual expression of opinion. I suppose most of them are average Canadians and would be pretty truthful with you?
- A I am not saying they would be untruthful, but they might not feel impelled to disclose, shall we say, the whole truth and in a situation of this kind the motivation.
- Q I suppose the same kind of comment would be true about some of your junior officers when they expressed opinions to you about this question, they would be inclined to want to give you opinions which would be acceptable to you?
- A No.
- Q Would not that be so?
- A I do not think I would put it in the same category, Mr. Lewis. The Canadian Pacific

is not a "yes man" organization. I have no reason to believe that our officers under my jurisdiction would not and do not give me honest expressions of their views on a matter when it is discussed with them without reference to whether or not it may coincide with my particular views. In fact there are many instances I am quite sure in which the opposite, I know in which the opposite takes place.

Q Mr. Emerson, I do not know that this is relevant to the issue before the Commission at all, but I am interested in the reason why you feel so certain that your officers would always tell you the truth and let the chips fall where they may, when you do not appear to have any confidence in the engineers or other of the lesser employees of your railway having the courage also to tell you the truth and let the chips fall where they may. What is the reason for that distinction, Mr. Emerson?

A You are carrying it much further than I think my previous answers have suggested. You refer to engineers or other employees. I would disagree with that. Some of them I think, and I am sure would give me an honest expression of their opinion.

I have particular reference to and I

cite the example of an experience during one of these trips which I made, the particulars of which were filed yesterday or the day before. The fireman, whom I think should be nameless for this purpose, came over and spent quite some time discussing with me the implications of this case. I think he gave me an honest expression of his views and I was very interested in them.

Q All that is somewhat apart from my question as to whether you discussed the matter of distraction with the men who would have been distracted, according to you, and your answer is no?

A That is correct, for the reasons I have indicated.

Q Your officers have expressed some opinions about distraction to you no doubt, or they did so from this witness stand?

A Some of them have. I certainly have not discussed it with all of them. Some of them have.

Q Do you know whether they have discussed the matter with the engineers and others who would be affected?

A Yes, some of them have done that too. That is my clear recollection.

Q That they informed you that they did that?

A Yes.

BY THE CHAIRMAN:

Q With what result?

A With the result that they secured from the engineman in certain instances an expression of opinion that the presence of a fireman in the cab of diesels was a distracting influence.

BY MR. LEWIS:

Q Have the officers who informed you of this appeared before this Commission?

A No, I do not recall that it has been any of the officers that have appeared here, no.

Q Now, Mr. Emerson, you seem to have read or had one of your aides draw to your attention various parts of the transcript. Do you recall a discussion here with regard to Yard Foreman Hudson in one of the western yards who it was suggested had his life saved by the alertness of the helper on the engine?

A Was that the incident which occurred in the Vancouver yard?

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Q Yes?

A Yes, I think I recall generally the particulars of that occurrence.

Q That is in volume 7 of the transcript. It is in various places so the page does not matter at the moment. What I am driving at is this, Mr. Emerson. You will recall, if you have read the transcript, that Mr. Shepp, one of your officers who gave evidence, although he expressed pleasure that a more serious result of that affair had not occurred, felt that had the ground crew placed itself properly and had this man himself, the yard foreman, paid attention to things the whole matter would not have taken place?

A Yes.

Q You recall that?

A Yes, the man would not even have been injured, yes.

Q Now, the fact is, is it not, Mr. Emerson, that any time when there is danger of an accident it is usually because of some failure on the part of the human beings concerned?

A Oh, not always limited to the human beings; perhaps sometimes it is failure of mechanical parts.

Q Let me hasten to say that I refer to those incidents where it is not mechanical or what is sometimes called in the legal volumes an act of God and so on, but when it is due to what

you call employee negligence and then it is because someone has failed to observe a rule or to use his judgment or to remember something, the usual normal human failure? Is that right?

A I think that is probably right.

Q Your entire safety program, as is the safety program of every other corporation, is really based on the knowledge from experience that people err and that you have got to caution them to commit as few errors as possible?

A That is one part of it. Another part of it is to instil in the minds of everyone concerned, all employees, alertness to be aware of hazards which may arise perhaps even from the negligence -- I hesitate to use that word but that is the one that comes to mind -- on the part of someone else.

For example, this is not in the railway field but it is very recent in my mind and it is just an illustration that the same thing takes place in everyday life just as it does in the operation of a railway. Last night I was crossing over from the Chateau Laurier to the Union Station at which point, you recall, there are traffic signals. I waited on the curb until the traffic signal showed green and just as I went to step off an automobile came along at a relatively fast rate and obviously ran the red light. Now, you might say the primary responsibility was his in a sense.

Q You would not be able to throw it at him if he ran over you?

A Well, I would rather not get into that situation. You have a certain responsibility to yourself and others to have a look-out for your own safety and, as a matter of fact, curiously on the same trip when I reached the island between the two points and stopped for the red light -- no, excuse me, went to step off to continue my passage the light changed to yellow on the pedestrian walk just before I reached the Union Station and a car coming behind me at a relatively high speed went through the light before it had changed, so I was imperilled, you might say, in two instances in one journey.

Q Bad luck which turned out well, Mr. Emerson.

THE CHAIRMAN: One has to be alert in Ottawa.

THE WITNESS: Well, one has to be alert in life, sir.

BY MR. LEWIS:

Q And in railway service we have this Hudson incident which I suppose from your many years of experience is not unique?

A No, it is not unique in railway experience or in life generally.

Q No doubt, Mr. Emerson, in your position in the railway and in your years of service with the railway you have kept in touch with what

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has happened not only on the C.P.R. but elsewhere and you have therefore read about people having seizures or becoming ill, engineers, while at the controls of a moving engine or train?

A I have heard of that and of course it is not confined to enginemen either naturally.

Q Now, Mr. Emerson, as one of the vice-presidents of the Canadian Pacific Railway and therefore I assume one of the main policy makers of the railway, what in terms of policy, Mr. Emerson, would you think if the removal of the firemen resulted in one additional fatality per year? Would you as a vice-president of the C.P.R. as a matter of policy consider the saving resulting from the removal of firemen justified?

A Well, that is a hypothetical question, Mr. Lewis. That has not been considered because, as I say, it is purely hypothetical.

Q I am asking it of you, Mr. Emerson, as a question of policy, not of occurrence. I say to you as a vice-president, suppose you became convinced as one of the officers of your railway that the removal of the firemen would result in no more than the probability -- I am going to change my question and say "probability" -- of one additional fatality a year. Would you consider the saving resulting from the removal of the firemen

justified as a matter of policy?

A Well, another way to put the question is, what is the value you place on human life? Would that be a fair statement?

Q Well, I did not put it that way. You can interpret it as you like in your mind.

A Well, that is a question which would take a good deal of consideration. I certainly would not agree that the removal of the firemen would not be justified notwithstanding. I would want to give that a good deal of thought because, after all, in everyday life there are hazards and it is impossible physically, financially if you will, to eliminate those hazards.

As an illustration of that point, again I will take you to a case that you can verify at noon or at the recess, if you will. Down the street here, down Wellington Street, which is a main street of the capital city of Canada, and one block plus from this courtroom there is a building construction job going on. In the course of that building construction job there is a crane, quite a large crane, which is working on the street hoisting steel girders up on the roof of the building, heavy steel girders. Over the sidewalk there is a canopy constructed of light timber for people to walk through.

If in the process of this construction a hook failed or the crane operator made a mistake or a sling slipped or anything of that sort and a girder fell down while a person or a group of persons were walking under the canopy, I think you would agree that a very serious mishap resulting in injuries and one or two or more deaths might well result.

2)

Now, similarly you will find that during the course of this operation that I observed yesterday there is heavy traffic passing on both sides of the street and there was not even a flag man to protect highway traffic or direct it around. They just had to find their own way around.

Q Do you think that is right?

A Those are the circumstances which existed.

Q I am sorry. Do you think it is right that there was no flag man?

A Let me go a little further and then I will answer your next question. These are the circumstances which exist in a case of this kind. They are not unique. They are applicable virtually to every occupation, to every activity which we carry out in the country, and I can see no reason why the railway industry should or can be governed by a different set of considerations.

MR. LEWIS: I think that is all,

Mr. Chairman.

THE CHAIRMAN: Any re-examination?

MR. SINCLAIR: I have a few questions.

BY MR. SINCLAIR:

Q Mr. Emerson, at the request of the Commission you have developed certain information about track centres in Britain and Europe. I think you have got further information. I think the point in which you were really interested, Mr. Chairman, was clearances rather than track centres as such. This is not re-examination, Mr. Lewis, although I will have a few questions in re-examination. I am taking this opportunity to clear up some of these things so we will not have to come back to them. I think we gave track centres but I believe what the Chairman had in mind was clearances, from looking at the transcript?

A Yes. Perhaps I can put it on the basis of the space between cars on adjacent tracks in yards, the clear space.

Q Yes.

A Which depends on two factors, one, the spacing of the tracks per se and the other the width of the equipment.

Q Yes.

A Now, in the time at my disposal I have made some inquiries and have some information for the use of the Commission. The

situation is this. On the British Railways there are no government regulations in respect of track centres. The practice varies from 9 feet $8\frac{1}{2}$ inches centre to centre in some of the older yards to 11 feet 2 inches to 11 feet $8\frac{1}{2}$ inches in newer yards. I was unable to find --

Q Just to make the thing complete, Mr. Emerson, this matter is fixed under the regulations of the Board of Transport Commissioners for the railway industry in Canada and the distance between track centres is 13 feet 6 inches. Is that not right?

A 13 feet 6 inches between body tracks in yards and that, to my recollection, is general order of the board No. 345.

Q I think reference was made to it earlier?

A Yes.

HON. MR. MARTINEAU: You say between centres.

MR. SINCLAIR: The centres of the two tracks.

THE WITNESS: Centre to centre, sir. As to equipment width, I could find on the British Railways no reference to a standard car but there is a fish box car so called that has an overall width of 8 feet, $11\frac{1}{4}$ inches, and the net result therefore is that the clear space between cars varies from $9\frac{1}{4}$ inches in older yards if you have two of these cars of this

type or equipment of equal width standing on adjacent tracks to in the newer yards from 2 feet, 2-3/4 inches to 2 feet 9 $\frac{1}{4}$ inches.

BY MR. SINCLAIR:

Q I think we had this before but I am not sure whether we made the calculation. It is not a difficult one so maybe we will put it in here for the assistance of the Commission. On the Canadian Pacific if you have two standard box cars of the latest type standing side by side on body tracks in yards, what would the clearance be?

A Well, the box car width being 10 feet, 7-5/8 inches and the track centres 13 feet, 6 inches, would leave a net clearance between cars of 2 feet, 10-3/8 inches.

R.A.Emerson

Q Now, that relates to the United Kingdom.
What about France?

A In France there are no government regulations respecting track centres. They vary from 14' 9" to 16' 2 $\frac{1}{2}$ ". The Europe standard box car to which I referred earlier has a width of some 10' 3" so that the net result may be a clear space between cars of some 4' 6" to 5' 11 $\frac{1}{2}$ ".

Q I should have done this before, Mr.Chairman, and with your permission I will put this in sequence. These European railway cars are I think not equipped with automatic couplers and they do not have hand brakes and the trains are not equipped with air brakes throughout?

A Throughout, the Europe standard box car is, I think, equipped with air brakes but not in all instances with hand brakes. The implications of that situation may be glimpsed briefly by reference to Exhibit No.175, the photograph at the top of the page.

Q That was the United Kingdom?

A Yes. In this photograph you will notice that three of the men are carrying long poles which they use to hook or unhook couplers.

Q In that Exhibit No.175, the top photograph, it shows the man on the side step of the engine. He has one right in his hand which it is very easy to see there, is that right?

R.A.Emerson

A That is correct.

Q And they go in between the cars and use these poles?

A In between tracks, they are handling these poles, yes.

BY MR. LEWIS:

Q That is for the coupler?

A Yes.

Q It has nothing to do with the brakes?

A No, it has nothing to do with the brakes. This is the coupler.

BY MR. SINCLAIR:

Q In Europe they use skates for brakes?

A Yes.

Q Which is a machine that is put on the rail, as was explained by Mr. Koster. We do not have to go into that again.

A Yes. In Germany again there are no government regulations stipulating the minimum distance between tracks but the usual practice, I am informed, is a distance of 14' 9" between track centres. Again with the Europe standard box car at 10' 3", this would leave a distance of 4' 6".

Q The Netherlands?

A On the Netherlands railway there are government regulations which stipulate a minimum distance of 13' 1". On that basis with an equipment width of 10' 3" this leaves a

R.A.Emerson

minimum clear space between cars of 2' 10".

Q 2' 10"?

A Yes, 2' 10". In the Netherlands also there are a number of yards constructed with tracks at 14' 9" centres and on that basis equipment 10' 3", the clear space between cars would be 4' 6".

Q That leaves Switzerland?

A In Switzerland there are no government regulations but the practice is similar to that followed in the Netherlands.

Q They would have the standard or European box car that is interchanged by all standard gauge railways in Europe?

A Yes.

Q Or rather on the continent of Europe?

A Yes. I cannot -- at this time at least -- say that the Europe standard box car is the widest equipment that they use. That does not necessarily follow. There may be other cars that are wider, but I do not know of any at the moment. The effect of that would be simply to reduce the clear space.

Q But you have made your calculations on the basis of the standard European box car?

A Yes.

Q Now, Mr.Emerson, before we proceed, I think that during one stage Mr.Justice McLaurin asked whether the figures you gave for the

R.A.Emerson

cost of dual controls -- which, as I recollect, were from \$3,800 to \$9,000 odd per unit --

THE CHAIRMAN: \$3,000 to \$9,000?

MR. SINCLAIR: \$3,800 to \$9,500, I think it was.

THE WITNESS: Yes, I think those are the figures I gave.

BY MR. SINCLAIR:

Q As I recall it Mr. Justice McLaurin was interested in knowing whether that was the cost of altering present equipment or did that refer to the application on new equipment. That is to say, as everyone knows, it is cheaper to instal equipment when units are being built than it is to alter existing equipment. Were those figures you gave on the basis of alterations to existing equipment or did they refer to putting on dual controls when units are being built?

A That was on the basis of alterations to existing equipment. On the basis of making the application to new units, the cost would vary from \$2,500 to \$7,100 per unit, again depending on the type of unit and the type of brake equipment on that unit.

Q There is one other matter that we should

R.A.Emerson

clear up. Mr. Lewis asked you yesterday, I think, about walk ways on road switchers and whether units equipped with steam generators and train lines or steam generators or train lines for use in passenger service were all equipped with walk ways --

MR. LEWIS: Whether road switchers were equipped with walk ways.

BY MR. SINCLAIR:

Q A quick way to put it, Mr.Emerson, is if road switchers which could be used in passenger service enabling the steam to be put right through the train all had walk ways on them?

A Yes.

Q Have you gone into that question now?

A I think I indicated yesterday that all units that were equipped with either a steam generator or steam heat line only are equipped with walk ways. I find on checking that that is not quite so. I do not know whether the actual figures have been developed since I came into the court room but the situation generally is that all units with steam generators -- we are talking now about road switcher units, of course, -- all units with steam generators have walk ways. Now, as to units which are equipped with steam heat lines only, they are not all equipped with walk ways. I was in error.

R.A.Emerson

BY HON. MR. McLAURIN:

Q What is the use of a steam air line; if you have not got a steam generator?

A I might explain that sir. There are instances -- or there were thought to be instances -- in which you might, for example, have a two-unit consist on a passenger train, particularly in mild weather, and the head or lead unit would be equipped with a steam generator but the demand for steam would be low and could be met simply by piping the steam through the trailing unit to the train, so the purpose --

Q So you need the air line on the other?

A You need the steam line.

Q That is simpler than I thought it was.

A Yes.

BY MR. SINCLAIR:

Q The witness has been handed some figures to examine and perhaps I could put the matter into focus while he is looking at his figures. What was in mind was a lead unit that might have a steam generator and then a middle unit that would not and then a third unit that would, so that you would have two steam generators working on a three-unit consist with the middle unit only having a train line.

A Yes.

MR. LEWIS: He would have to climb over from the first to the third unit without a

walk way.

MR. SINCLAIR: Yes.

BY MR. SINCLAIR:

Q Just to bring it into focus. Have you got those figures now, Mr. Emerson?

A Yes, but unfortunately I cannot quite ^{decipher} decipher them.

MR. SINCLAIR: Well, there are some -- shall we leave it like that?

THE WITNESS: Yes, there are some.

MR. LEWIS: If my learned friend can ^{decipher} decipher them, I have no objection to having him read them into the record.

MR. SINCLAIR: No, I shall not attempt to do that because my eyes have played too many tricks here already. There are some, however.

THE WITNESS: That is a fact. Now, of course, you can consider the possibilities, the pros and cons, if the trailing unit is equipped with a steam train line but not a steam generator -- the lead unit has the steam generator and the trailing unit is not equipped with a walk way. There is in passenger service, of course, no reason why the fireman should have to go back to the trailing unit because it carries no steam generator.

BY THE CHAIRMAN:

Q Well, that is what I had in mind. What would be the necessity of going from one unit to the other?

A In that instance, no necessity, sir.

Q Well, is there a situation where there would be such a necessity?

A I cannot say how often it occurs. I would think it would be quite infrequent. It is possible, however, and I shall put this within the realm of possibility and not probability.

You could have a consist of three units; the lead unit with a steam generator, the middle unit would have a steam train line only and the trailing unit would have a steam generator. The steam generator on the trailing unit might act up and the fireman might want to go back to attend to it. Now, if in those circumstances the middle unit is not equipped with walk ways, we would not expect the fireman to go back in motion but rather to wait and attend to it at a stop, and if necessary stop for that purpose.

Q You say you would not expect him to do that. Would you permit him to do so?

A No sir, it is not permitted by the bulletin that has been issued.

BY MR. SINCLAIR:

Q Now, Mr. Lewis asked you a series of questions about backward transition?

A Yes.

Q I have not checked the transcript but as I recollect the question, what he put to you was that the fireman in such a situation, when the diesel unit did not make backward transition it was necessary for the fireman to go out on a road switcher or go back in a car body type and make an adjustment to enable the power to operate accordingly and correctly with the controls from the engineman's compartment. Do you recollect that?

A I recollect that.

Q Now, arising out of that, would you tell the Commission if these backward transition relays do not work on a movement and the engine loses speed -- that is when the backward transition takes place?

A Yes.

Q If, automatically, the unit does not make downward or backward transition in accordance with the speed of the unit, can the engineman, when in motion, without any action on the part of the fireman at all, can he correct that situation from the control cab?

A Yes. You see, all he is required to do is to move his throttle back to idle which, of course, puts the transition down to the lowest position

and then notch it up again in which case the unit will pick up in forward transition unless, and there is an exception to this, for some reason the unit is in series parallel full field, which is the No. 1 notch, the power notch for starting on heavy grades, in which case the unit develops its maximum tractive effort.

Q In any event?

A In any event.

THE CHAIRMAN: Your question said, I think, Mr. Sinclair, backward transition takes place and you mean where it does not take place?

MR. SINCLAIR: Where, as the speed falls off, it automatically did not make backward transition, yes.

BY MR. SINCLAIR:

Q When you put the throttle in idle do or do not all the contactors for this transition, do they fall out as an automatic situation when you put it back to idle, put it back to first transition, is that the way it works?

A That is my understanding, yes.

Q And that could be done very quickly?

A Oh, it is just a motion of the hand.

Q By the engineman?

A Yes.

Q Now, Volume 33, and I have pages starting with page 4581 and I think the next page, where Mr. Lewis asked a series of questions concerning firemen draining air reservoirs, and showed

you an exhibit in relation to firemen or engine crews -- engine crews, I think he said, but I am not sure -- in any event, we will put it as engine crews, being required to drain air reservoirs en route; do you remember that?

A Yes, I have a recollection of that.

Q Now, at the bottom of page 4581, to which I referred, he was referring to road switchers. Now, my recollection is that you demurred at some of the suggestions Mr. Lewis put to you in regard to road switchers?

A Yes.

Q Is it possible to drain the air reservoirs while the units are moving over the road?

A Well, the situation in respect of the air reservoirs varies to some extent with the type of unit. Now, for those units of MLW or CLC manufacture, road switching units, the air reservoirs, the main reservoir is underneath the running board on the outside of the engine deck, the side of it, so the normal way of draining the air reservoir would be from the ground where you simply reach up and open the cock.

You asked if it were possible to drain it from the deck of the unit and I suppose it is remotely possible. In order to do so a man would have to lie down on the running board, reach away down to get the cock open and I cannot think of any fireman or any other employee of the company doing that type of thing.

Now, the situation with respect to General Motors units is a little different. On road switching units, the cock to drain the air reservoir is generally inside the engine compartment, the hood, but again we do not expect, do not want, and in fact now clearly prohibit the opening of the doors of the engine compartment in motion so a fireman would have no occasion to do that.

Q Now, when we were having this discussion you did refer to certain rules, air brake rules, that govern the draining of main reservoirs that would control the engineman, and I think you did mention that there was a time limit in there of four hours. So that we can have the whole matter on the record, Mr. Chairman, I think rather than have a recollection I think he had better read in the section. We do not want to file any more than is necessary?

A Yes.

Q Would you do that please?

BY THE CHAIRMAN:

Q What is this you are reading, Mr. Emerson?

A This is the company's "Air and Dynamic Brake and Air Train Signal Systems, Rules and Instructions", effective November 1, 1950, and the pertinent portion of Rule 114 states:

"The system -- "

That is speaking now of the air system.

" -- should be blown out where-ever practicable on the road, and

"on diesel locomotives should be blown out at least once every four hours."

Now, as I explained to Mr. Lewis yesterday, my understanding of the intent of the bulletin which he read me, I think it was Exhibit 191, "en route" does not mean in motion.

BY MR. SINCLAIR:

Q There was one other item my friend asked you certain questions about and I think you might clarify it for the assistance of the Commission. It had to do with the reverse current relay sticking?

A Yes.

Q I do not want to say that he used these words, but do you recall his question and your discussion with him concerning the reverse current relay and in regard to the battery charging, that portion of your testimony?

A I do.

Q I think that was yesterday?

A. I do.

Q Now, Mr. Emerson, he went on to put to you, on his instructions or as he had been informed, that firemen could and did go out and just take this relay lever that he mentioned and flick it with their fingers and that corrected the trouble. Now, I should like you to clarify that for the Commission. Mr. Lewis says that is done and can be done; does the Canadian Pacific wish or want that kind of action taken

if the reverse current lever does not automatically trip?

A No, it does not want it. The reverse current relay is located in the electrical cabinet and is not equipped with a reset or anything of that sort. If it sticks, we would not want a fireman or engine crews tinkering with it.

Now, it is a relatively simple device. I think I stated yesterday in response to a question that I was not sure but I thought it must be so, that the battery circuits of units operating in multiple would be train-lined. I find that on the Canadian Pacific that is not so. In other words, the battery of each unit is separate and distinct and not connected when in multiple with the batteries of adjoining units.

Perhaps just to make the matter clear, this reverse current relay is quite analogous to the circuit-breaker in your own automobile. The function it performs is to interrupt or close the circuit between the battery and the generator so that when your car is running the generator is connected to the battery and charges it, and when the car is stopped the relay opens and the battery does not run down by discharging back through the generator. It is just as simple as that. The only difference is that on a diesel locomotive unit the relay is set so that even when the engine is idling the relay is closed generally and charges the battery. There

is a slight difference in that respect.

The point to that is that once the unit is started on the shop track and has been checked to see that the battery is charging and the relay therefore must be closed, it should remain closed, generally, throughout the run unless the engine shuts down, comes to a stop for some reason. In that case, no trouble would develop, except that if the engine shut down with the relay stuck closed then the battery would discharge back through the auxiliary generator and burn out, blow a fuse or trip a circuit-breaker.

Q Which would protect, just like in the ordinary electrical circuit?

A Oh, yes, that would protect it. On the other hand, if the relay stuck open for some reason, all that is entailed is the fact that the generator is not charging the battery. The battery capacity on the units is such that they will run for four or five hours in any event on the current left in the battery, so it has virtually no effect on the operation of the unit over the subdivision.

I may say that I have made some further inquiries about the suggestion made here yesterday that this was, let me say, a fairly occasional source of trouble. This rather amazed me because it certainly did not tally with the experience which I have had.

I find that that does not represent the situation at this time. The fact of the matter is that on some units, after they were delivered a few years ago, there was some trouble with these reverse current relays. There was a little difficulty with it, but here again is an excellent example of the progression that has been made over the years, because with the increasing familiarity of our maintenance staff with the equipment, and the improved practices, that trouble has virtually disappeared.

Q Now, there was one other series of questions my friend Mr. Lewis put to you with which I wish you to deal and that had to do with patrolling by firemen. I think to set it in its focus, Mr. Emerson, he was asking you about whether the firemen patrolled prior to when you issued instructions to put out the bulletin of October, 1956, that is the sheets in Exhibit 7, and he put to you that on certain units to comply with the form the firemen patrolled and you agreed with that and you said there were some conditions on different units and situations were different in different parts of the country. Then, I think you went on to say that the matter had become of greater consequence, there was more of it -- I am not trying to use your words, but do you remember that part of your testimony?

A Yes, I recall it. The point is that the tendency of firemen to go back and make patrols on units in motion, notwithstanding instructions, has increased during the course of this dispute.

Q That is what you meant by that?

A That is right.

Q As a result of that you did what?

A As a result of that I issued first the bulletin of October 1956 and then issued the bulletin, which was referred to, in May, 1957, and also re-issued the bulletin of October 1956 so that there could be no possible room for doubt or misunderstanding.

MR. SINCLAIR: That is all, thank you.

BY THE CHAIRMAN:

Q Mr. Emerson, I think in the course of your testimony you said that you did not see or would not see any necessity for installing dead-man controls on yard switchers?

A Yes.

Q If they were being operated by one man.

THE CHAIRMAN: I am not sure, Mr. Sinclair, but did not Mr. Woodland have a different view?

MR. SINCLAIR: I think it was the Witness Alver from Toronto, who said that he would favour them in regard to yard switchers; that he would recommend them in so far as he was concerned. I think the phrase he used was that it would be an extraordinary precaution. That was the witness Anton Alver.

HON. MR. McLAURIN: Mr. Woodland did not express that opinion.

MR. SINCLAIR: He said in his view that they should be put on in freight service but not in yard service.

HON. MR. McLAURIN: We certainly had an expression of opinion from Mr. Woodland on this subject because I remember asking him if he did have dead-man controls on yard engines, having regard to the fact that the engineman must move around readily were there any technical difficulties in the way of installation, and Mr. Woodland's opinion was that there would not be.

MR. SINCLAIR: That is so.

HON. MR. McLAURIN: But Mr. Woodland did not express an opinion in favour of it.

MR. SINCLAIR: No, sir; the only one who did that was Mr. Alver.

THE WITNESS: That is my recollection from reading the testimony.

MR. SINCLAIR: Subject to checking, I think that is right.

THE CHAIRMAN: Then, Mr. Sinclair, you made some reference yesterday to an understanding with regard to the frequency of these examinations, and I think it might perhaps be well, if this subject has any relevancy, to have that on the record so we know what is the situation.

MR. SINCLAIR: As I understand it, the situation is that in some of our labour

agreements there are stipulated times for qualification. Those have been set out, but there are none in regard to firemen in these matters. The firemen's organization have said that conditions would be such that a fireman after being a fireman for a long time might come up for qualification in regard to the mechanical rules, but having been a fireman for some years he might be unable to pass them. I think there were certain ideas in the organization that a man would not be permitted to remain permanently as a fireman, which meant therefore that he would have to leave the service, having not met the qualifications.

I think the organization took the position, and as far as the company was concerned it is only when they need men for promotion that they need to see whether they are qualified. The organization said that that seemed to them to impose certain disabilities and hardships on the men, and so the company said, "We will set out in the mechanical examinations" -- which is Exhibit 147 -- "a typed sequence when these qualifications will be put forward."

That is fairly new; I think it has been in force only just a little over a year. I do not think there is any question about it, that that is what the company has said they will try to do.

THE CHAIRMAN: I think the point about Exhibit 147 was that it did not state when, but the understanding covered when.

MR. SINCLAIR: No, the white sheets indicate six months after one year, first series; within six months after two years, second series; and so on. I do not think there is any formal agreement; I am sure there is not. It is just one of those matters that is handled in that way.

THE CHAIRMAN: What does it add to the printed material?

MR. SINCLAIR: The understanding?

THE CHAIRMAN: Yes.

MR. SINCLAIR: Well, that it was not something the company was demanding, it was rather something the men were asking the company to do so that they would not be in the position of having a fireman after being in the service for some years unable to accept a promotion due to lack of qualifications.

THE CHAIRMAN: That is, writing the periodic examinations?

MR. SINCLAIR: Yes.

MR. LEWIS: Just to clear up that point, Mr. Chairman, the Commission's attention might be drawn to the first two or three exhibits. I have not checked exactly what they would be, but first I would refer you to Exhibit 2, Article 17, to be found at the bottom

of page 42 and the top of page 43. These are paragraphs (l) and (m), and they provide the following in connection with the examinations.

"(l) A fireman failing to pass the required examinations will be given another opportunity in his turn within six months, and if successful will be placed on engineers' seniority list. The date of promotion to be the date of his first service as engineer."

I presume that would refer to the third set of examinations. The next paragraph reads:

"(m) A fireman failing to pass second examination will be placed at the foot of the seniority list, or his services dispensed with at the option of the company."

I presume that is what we would call the supplementary examination; having failed the first time, he is given another chance; it would be the second of the third series, I presume.

Mr. Chairman, I do not want to interfere with the recess, but I have one or two particular questions I should like to deal with.

THE CHAIRMAN: I am not quite finished either. My attention has been called to Mr. Woodland's evidence at page 3329,

where he was being examined by Mr. Sinclair as follows:

"Q. Now, Mr. Woodland, what types of diesel locomotives have dead-man controls on the Canadian Pacific?" That question was answered and then follows this question:

"Q. Is it on yard locomotives -- is there a provision there for yard locomotives?

A. There is no provision for dead-man control on yard locomotives.

Q. Taking road freight power, in your opinion as a mechanical man and an operating officer, if firemen were removed from road freight, do you or do you not think the dead-man controls should be applied on these road freight locomotives?

The Chairman: You mean connected up?

By Mr. Sinclair:

Q. Yes. Do you think they should be connected up?

A. I have given that matter some very serious thought and I think as an extraordinary precaution they should be."

That related to road engines.

MR. SINCLAIR: Just following along

that, I would refer you to my examination of Mr. Woodland at page 3341:

"Q. Mr. Woodland, what is your view if firemen were removed from yard engines; what is your view as to putting dead-man controls on the yard engines?

A. No, I do not think it is necessary on yard engines. They are moving at limited speeds and they are in very close contact with the ground crew. I feel that in those very rare occasions when something like that might occur nothing much or of more consequence than a heavy impact would be involved, and heaven knows we have them now. I do not feel that they are required on yard service."

I think that clears it up. Mr. Lewis, I understand you have a question or two.

BY MR. LEWIS:

Q Arising out of this matter of steam generators on road switchers in passenger service. I understand that the steam generators on road switchers are in standby when they are in freight service?

A That is the general practice; when a unit which is equipped with a steam generator is used in freight service

the generator is placed on standby, yes.

Q Which might require attention sometime during the trip?

A Certainly not in motion.

Q Not in motion?

A Certainly not.

BY HON. MR. MARTINEAU:

Q What is meant by standby?

A On standby simply means that it is idling; there is just enough heat, just enough oil being delivered to the burner to keep the steam generator warm enough to keep the pipes from freezing.

BY MR. LEWIS:

Q Why do you say that it would not require any attention in motion? Supposing something happened and fuel was not being fed or the generator was not working, would there not be danger perhaps of the pipes freezing?

A I would not think so. The steam generators are within the unit and with the train in motion the heat of the engine will in some cases get back into the same compartment and would keep it warm enough. In some cases, on a road switcher type, the steam generator might be separate from the engine compartment, but nothing would happen until quite some time and after the whole thing has

cooled down anyway. .

MR. LEWIS: I want to make clear that my next question does not really arise out of the re-examination.

THE CHAIRMAN: That is quite all right.

MR. LEWIS: This is something I wanted to ask Mr. Emerson but I forgot to do so. It is merely for information.

BY MR. LEWIS:

Q You discussed this matter of dual controls perhaps a little more than the others. I do not know whether you know, but I have asked my people and of course they do not know: suppose you have air-brake equipment; how is that handled when you have dual controls in the cab permitting the engine-man to move from the right to the left? Can you inform the Commission and perhaps educate me a little on that?

A Yes, I will try to do so. I had a picture of a yard switching locomotive --

Q I think that was Exhibit 175.

A That is the top picture on Exhibit 175. Inside the cab there is a sort of table which runs transverse of the cab with a little walkway or passage between the end of the table on one side and the side wall of the cab, and between the end of the table on the other side and the

side wall of the cab. In other words, it is perfectly symmetrical.

As I recall, the controls are mounted on the end of this table so that when the engineman -- there are also a set of controls on the other end which I think are geared together mechanically. When the engineman is working on one side of the cab he simply uses the controls, and then when he steps across to the other side he uses the same controls which are mechanically linked together.

Q I think I can follow that with regard to the controls themselves, but what about your air-brake, if you have air-brakes as you do have on the Canadian Pacific?

A They do there as well.

Q What about that? Do you have an air-brake lever that functions in conjunction with the other controls or what?

A Perhaps if I could take a minute I could get some photographs of the inside of the cab which might enable me to clarify this point.

----Recess.

--

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-- After Recess.

BY MR. LEWIS:

Q Yes, Mr. Emerson?

A As to the question of the arrangement between the brake valves on the opposite sides of locomotives when dual controls are provided, there are some differences in the practice. On the British locomotive unit, Exhibit 175, as I explained, there is this table with two sets of controls on either end and I believe that there is mechanical linkage between the brake valve handle on one end of the table with the handle on the other side so that they both in effect operate the same valve. The two handles are separate but there is mechanical linkage.

Q There is one valve operated by either handle?

A Yes.

BY HON. MR. MARTINEAU:

Q But when you move the handle the other one moves too?

A The other one moves too. That is right. The valve is under the top of the table, you see, and the linkage is under the top of the table, of course, but you could see that when the one handle moved the other handle moved correspondingly.

BY MR. LEWIS:

Q So you could just drop one handle and take hold of the other one and you would have the

same brake control, the same air control?

A Yes. On the German railways they have used something a little different and this is a translation of a portion of a pamphlet dealing with the question of the brake valve. It says:

"The proper service operation of the engine from both sides required installation of a double working safety device of the engineer brake valves, where these valves of the self-operating compressed air brake were secured with a single steering valve and a GB switch assisted by a self-operating shut-off valve, a magnet valve and electric switches at both engineer brake valves, in order that through any use of each brake valve both are working at the same time, however, can only be released when the other brake valve is in middle position. Thus the danger occurring through a brake made by the engineer on one side where accompanying persons through circumstances may make the brake ineffective, is prevented. For the safe interchangeable operation of the additional brake the intermediate switch of a double repulsing valve between both additional brake valves was sufficient."

R.A.Emerson

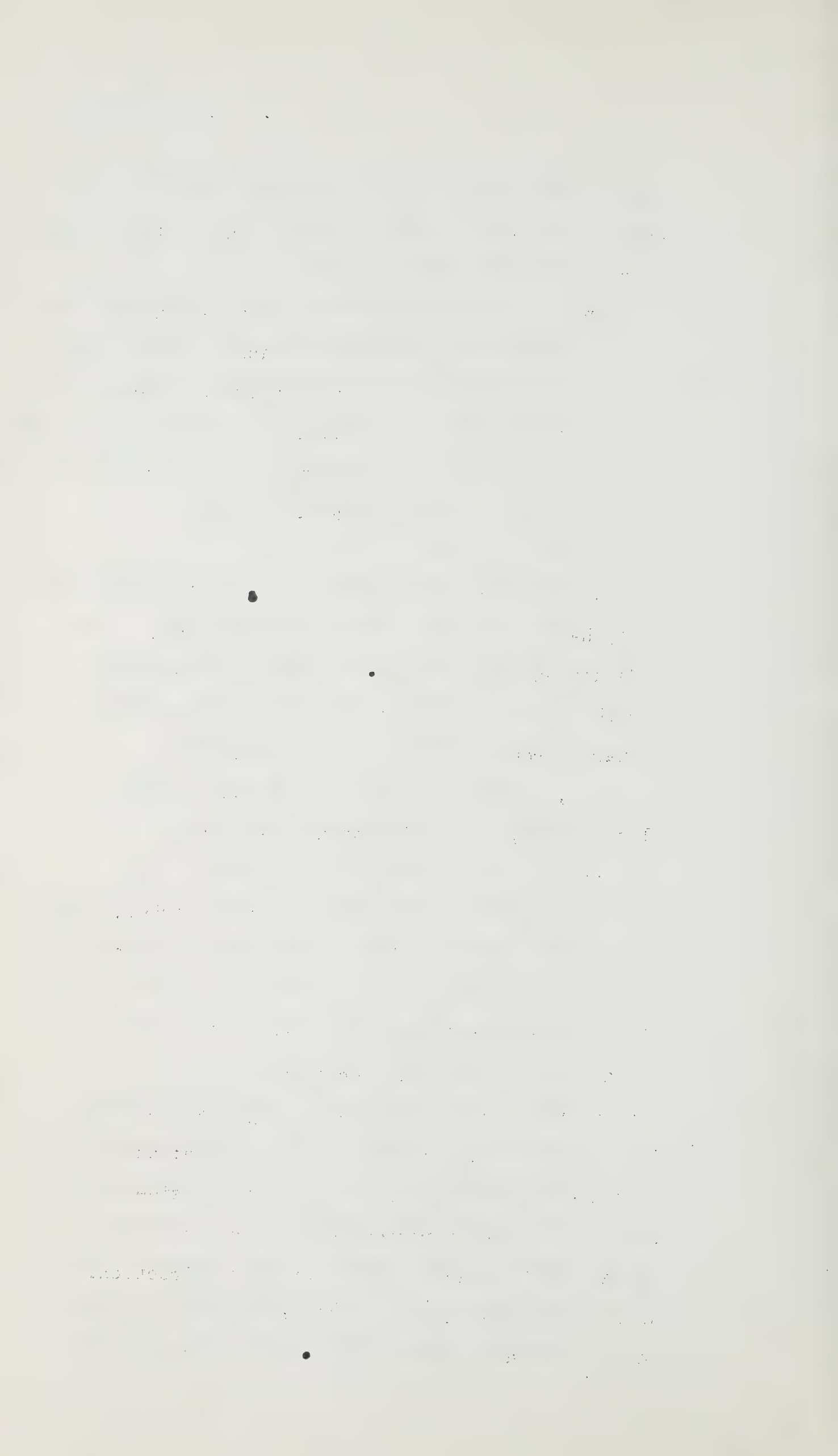
A Now, that is fairly technical and I do not know that I could interpret it without giving it a good deal of study.

One more situation which I observed was perhaps more applicable to our class of power and that was on the Netherlands Railway. There was an exhibit filed that illustrated a locomotive unit, diesel electric, which was built to the design of the Baldwin Company.

Q Yes?

A That unit, which was one of the road switching type, had two control stations, one on each side and each control station was arranged for the operation of the engine by looking forward through the righthand window.

Now, I do not know whether I make that clear or not, but to illustrate -- if the body -- the centre of the locomotive -- is located as we know it on the road switcher, and on either side of the centre there are the cab projections. When the man is in the righthand cab projection with the engine forward his controls are arranged for convenient operation, I should say, when he is looking forward on the righthand side; and then when he moves over to the lefthand side, the controls are arranged for convenient operation when facing in the opposite direction. As to the brake valve, I believe he simply takes the brake valve handle off and moves it



R.A.Emerson

from one side to the other.

Q It was suggested to me that might have to be done in the case of your equipment but it is not merely moving the brake handle, is it? You would have to disengage -- whatever that is -- the one, before you could make the other operative. Otherwise you would have one functioning against the other?

A Well, I do not think it is too different from switching control stations on a multiple unit locomotive from one end to the other.

Q That is right.

A But since they are both in the same cab I suspect it is much simpler, actually.

Q May I make that clear, Mr.Chairman? You now have in many of these units and perhaps in all -- a control station that may be moved, I gather from one end of the unit to the other or from one unit to another unit?

A Well, there are none that we have now that I can think of in which you move from one end of the unit to the other except R.D.C. equipment.

Now, you have a direct parallel there, and the same thing, as a matter of fact, on the Canadian National multiple unit equipment operating through the Mount Royal tunnel. The difference there, of course, is that the controls are at either end and not at either

R.A.Emerson

side, but the engineman has a prescribed, and it is a relatively simple procedure, in this case, for moving from one control station to the other.

Q The thing that bothered me about that, Mr. Emerson, was that in this kind of arrangement, like the Netherland's one, the Netherland's unit manufactured by the Baldwin Company --

MR. SINCLAIR: That is Exhibit 42.

MR. LEWIS: Thank you, Mr. Sinclair.

BY MR. LEWIS:

Q Then you cannot sort of walk over from one set of controls to the other set of controls and immediately be in control. You have to disengage the airbrake for the controls which you have operated until now and engage them in the controls that you are going to operate with the loss -- I do not know-- of perhaps seconds, or minutes. I have no idea.

A Seconds, certainly, of course. I cannot envisage any circumstances in which we would anticipate that the engineman would move from the control station on one side of the locomotive to a control station on the other side without the locomotive being stopped first.

Q And his making the adjustment?

A Yes, which again is a matter of seconds.

MR. LEWIS: Thank you, Mr. Chairman.
I have concluded with Mr. Emerson.

MR. SINCLAIR: Perhaps Mr. Hooley could
answer my friend now.

FRANCIS VICTOR HOOLEY, Recalled

MR. LEWIS: I hope, Mr. Chairman, I can
remember what my notes and Mr. Hooley's evidence
mean.

MR. SINCLAIR: Mr. Hooley will help you.

MR. LEWIS: I am sure he will.

BY MR. LEWIS:

Q Mr. Hooley, as road foreman of engines I
imagine that you qualified engineers for
diesels?

A Yes sir.

Q And could you tell the Commission whether in
the course of that you had occasion to educate
the firemen with respect to the diesels?

A During all my time, as the diesels came
along, I took the engineers through the
engine rooms. I first explained the cab
operation and took them through the engine
rooms and showed them the possible trouble
points and in all these instances if the
fireman was on hand he would come with us
and he would garner as much information as

F.V.Hooley

the engineer.

Q Yes. And, as a matter of fact, Mr. Hooley, you could not always take the engineer back with you, could you, if he was at the controls and the engine and/or the train was in motion?

A I cannot remember giving instructions to any one when the train was in motion.

Q Oh, you gave them when the train was stationary?

A Generally it was on shop tracks or sometimes when we were out on a train in a yard.

Q You would not give these instructions while in motion at all?

A Not that I remember. I was a little bit scared of the engine room myself and I would not expect anybody to go back in there. Anything might let loose.

Q Well, can you obtain -- perhaps you can, Mr. Hooley -- but can one obtain a sufficient knowledge of the engine and its handling if the instruction is given only while it is not loading?

A Yes.

Q It is not necessary for it to be under load in order to obtain sufficient knowledge of its handling?

A Not in my opinion.

Q Not in your opinion?

A No, I can truthfully say that any instructions that I have given them ...

F.V.Hooley

I have held classes at Vancouver for instruction on locomotives, for instruction on steam generators and these are attended both by engineers and firemen.

Q Yes, I appreciate that classes are being held at Vancouver as elsewhere. You then would **ride** with the engineer, would you not, as road foreman of engines?

A Yes.

Q And in riding with the engineer when he was at the controls, where there no instructions involved in that at all?

A I stuck in the cab all the time with the engineer.

Q Just watching him?

A For misoperation. When ~~were~~ we qualifying them the men were more or less a little bit scared of these engines and you would tell them to do this and they would be more or less scared to do it. And as far as engineroom instructions are concerned I can say none were given when the train was moving.

Q What you mean is that you would watch him handle the controls?

A The operation.

Q And instruct him on the operation of the controls but never in motion did you take any one back in the engine for instructions with regard to the engine?

A Not to my knowledge, Mr. Lewis.

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Q Now, did you in those cases instruct the fireman about the various protective devices?

A The fireman received the same instructions as the engineer.

Q Including the protective devices?

A Including the protective devices, yes.

Q And the same with some of the other matters we have talked about, like clogged filters or making transition, all those things?

A I do not know, myself, too much about transition so therefore I have not yet instructed any fireman a thing about transition.

Q What about the possibility of some failure in the filter and the fuel line?

A Not yet.

Q Not on that at all?

A No, I have not, down in my territory, I have not shown a soul how to change a filter.

Q When did you become Road Foreman of Engines?

A September, 1951.

Q During the years as Road Foreman of Engines, Mr. Hooley, did you notice whether or not, in riding on the engines, there was patrolling of the engines taking place?

A Yes.

Q Am I right in thinking, right from the start, when you became Road Foreman?

A Yes.

Q And all through the years?

A Yes.

Q And about the same degree of inspection all through the years?

A No, it varies in the districts and also with the men. Some men are very efficient and conscientious, where others are more or less the opposite.

Q And the more efficient and more conscientious would patrol more often and more carefully than the less efficient or less conscientious?

A Yes.

Q Now, Mr. Hooley, you made reference somewhere in your evidence to Trains Nos. 5 and 6, the passenger trains?

A That is at the last.

Q Are road switchers used on them in your experience?

A There are road switchers now. When I say "now", that is within the last six weeks. Before that trains Nos. 5 and 6 were powered by steam engines west of Kamloops.

Q You informed the Commission that the earlier steam engines on the Mountain Subdivision east-bound would cover it in about $9\frac{1}{2}$ to 10 hours?

A Yes.

Q And that the T-1, you thought, would cover the Mountain Subdivision eastbound in about $7\frac{1}{2}$ hours?

A I would say approximately, yes, Mr. Lewis.

Q When did the T-1 -- what number is it?

A The T-1 is a 5900..

Q And I am instructed a very powerful engine?

A They are a very good engine, a very good mountain engine.

Q Is that the one that someone boasted to me was the most powerful steam engine in the British Empire or Commonwealth?

A I would not say that.

Q When did you first experience a T-1?

A My recollection is in either early September or late August of 1929.

Q But as long ago as 1929?

A Yes.

Q Then, were there any other steam engines, stoker or oil or hand-fired, that would make the Mountain Subdivision eastbound in about the same as the T-1?

A Not to my knowledge, Mr. Lewis.

Q They would vary from about $7\frac{1}{2}$ to 10 hours, depending on the engine, would that be right?

A When I first started, we will put it this way, there was the R-3, and through the location of our established pusher points, these engines would handle the tonnage but very slowly. Where the 5900 would go from Revelstoke to Glacier in about an hour and 50 minutes to 2 hours and ten minutes, the others would be about three hours and a half.

Q Did you have quite a few T-1's in that territory, do you know?

A I think they are practically all assigned to that territory. Then, later, when the

new locomotives came they extended the T-1 through to Calgary in the Alberta District.

Q Then, you informed the Commission that with the diesel units you covered the same subdivision in about the same time as the T-1?

A Practically, yes.

Q And I think you said, Mr. Hooley -- if I am wrong please correct me -- it would take about the same time to go over the Shuswap Subdivision which, as I remember, is from Revelstoke to Kamloops?

A Yes.

Q It would take you about the same time to go over the Shuswap Subdivision as to go over the Mountain Subdivision?

A No, no, I did not state that, I do not think.

Q I am sorry. It would take less time?

A Yes, it would take less time.

Q How long would the Shuswap Subdivision take in relation to the $7\frac{1}{2}$ hours that the T-1 took on the Mountain Subdivision?

A We will take an average of $5\frac{1}{2}$ to 6 hours on the Shuswap.

Q $5\frac{1}{2}$ to 6 hours?

A Yes.

Q Do you know from memory what the relative mileages are of the two?

A About 125 on the Mountain and 128 on the Shuswap.

Q That is quite right, 125.7 on the Mountain Subdivision and 128.8 on the Shuswap Subdivision,

so they are very comparable in this instance?

A Yes.

Q You ran as an engineer quite a few years, I imagine?

A Not too many years, roughly six years.

Q Then, you fired for quite a while before that?

A I fired and wiped -- I was one of the victims of the depression.

Q One of the many?

A Thanks.

Q Now, when you were a fireman, when you fired say a hand-fired engine, were you given any training as to spacing your firing so as to keep a lookout when a lookout was important on the road?

A Would you say that question again?

Q When you were firing, say a hand-fired engine, would you generally see to it that you would not be firing when you were approaching a town or a highway crossing or a signal?

A Well, not so much highway crossings or signals, but coming into a village or town where there was traffic, you would, yes.

Q If you were approaching a block signal or some other signal, wouldn't you be interested in making sure what its indication was?

A If you were on the deck when the engineer called the signal to you, you repeated it to him.

Q Did you not look out through the gangway to

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see what the signal indication was?

A Sometimes, if it was possible, yes, to leave your fire and glance out, but not necessarily, no.

Q Sometimes you just repeated without knowing whether what you repeated was right or wrong?

A You took the engineer's word for it; you relied on the engineer's word.

Q What was the purpose in repeating it, then?

A It was the custom of the railroad, Mr. Sinclair.

Q Do not insult Mr. Sinclair.

A Oh, Mr. Lewis.

HON. MR. McLAURIN: It is the rules.

BY MR. LEWIS:

Q It is more than the custom. Does not Rule 34, if I remember correctly, require you to do it?

A Rule 34 requires you to do it, yes.

Q All members of engine and train crews must, when practicable, indicate to each other by its name the indication of each signal affecting the movement of their train or engine. Do you think you would be applying that rule if you just repeated what the engineer told you without looking to see whether it was so or not?

A I think so, Mr. Lewis. There is a word in the rule there that tells you, "when practicable". If you are down on the deck lots of times you had to take advantage of your trackage curvature to put in a fire.

Q I am told, Mr. Hooley, that in almost all cases

you could sort of hang on to your shovel, without even letting the scoop go and stick your head out for a quick glance to see what the signal indication was?

A Sometimes yes and sometimes no.

Q The sometimes no would occur when, if you were on a curve or if the signal indication was on the other side or what?

I-2 A Well, it just depended on how busy you were putting in a fire, Mr. Lewis.

Q No matter how busy you were, it does not take many seconds to stick your head out and see the signal indication, does it?

A Well, I do not recollect doing it.

Q You just recollect repeating what the engineer called, without looking to see whether it was right or wrong?

A Yes.

Q Then, when you were an engineer on whom did you rely mostly for assisting you in the lookout, Mr. Hooley?

A On the head end, we had a fireman and brakeman and I would rely on them both.

Q You relied on them both?

A Yes.

Q You relied on them both equally?

A I would say equally, yes.

Q You knew the fireman rather better than the head end trainman, generally, didn't you?

A Rather better?

Q Yes, than the head end trainman?

A I knew him rather better.

Q Yes?

A As a workman, yes.

Q If you were regularly assigned and he was regularly assigned, you had occasion to see him much more than the head end trainman in your time off?

A No, I did not. When I got into Revelstoke I went home. I did not go back down to the shop. I very seldom went near a pool room. I had a good home.

Q Are you suggesting that all your firemen spent their time in the pool rooms?

A No, I am not saying that, Mr. Lewis, but the way you asked me the question, I was more or less on my own.

Q That is in Revelstoke where your home is. Suppose you were at the other end, Kamloops, if you went west, or Field, I think -- is that the eastern end of the Mountain Subdivision?

A Yes, the eastern end of Mountain territory.

Q At Field, when you went east and you had a lay-over at that point, you would be staying in the bunkhouse, if there is a bunkhouse?

A There is a bunkhouse.

Q Is that right?

A Yes.

Q And the fireman would be staying in the bunkhouse too?

A Yes.

Q That is what I am referring to, on those occasions you would be with your fireman?

A Yes.

Q I quite appreciate if you were back home you would go home. You would often be discussing with the fireman the things on the trip, something that had occurred and so on, wouldn't you do that, naturally?

A No, I cannot say that. When I did the Mountain territory, as I knew it, I was tired out when I got over to Field or Revelstoke and the result was you spent the biggest part of your time in bed. You went generally directly to bed on arrival and when you got a call to leave you would generally go down for your breakfast, or whatever it was, with your fireman.

Q What I am suggesting is this: supposing your trip is from Revelstoke to Field or from Revelstoke to Kamloops going west, and you had had some incident happen on the road, the braking of a train or anything of that sort, or a near miss of some accident, whatever it may be -- I am just guessing, and perhaps I am guessing wrongly -- it seems to me that you would be discussing that with your mate in the bunk house, if it was something to talk about.

A I cannot say that I did, Mr. Lewis.

Q Can you say that you did not; you just do not remember?

A No, I do not want to say yes or no.

Q You just do not recall the instances; it is quite a few years ago?

A Yes.

Q What I am getting at, Mr. Hooley, to put it more straightforwardly to you: since you work with the fireman more regularly and so on then would you not be inclined to rely on him, on his judgment, a little more than on that of the head end trainman?

A No. The brakeman is getting paid there and the fireman is getting paid also. I was kind of tough; I don't know, on the railroad, and they were on the job. There were signals called or when we were

switching everything went along pretty good. My record on the road, if you wish, I think it is pretty satisfactory.

Q I have no doubt it is. All I am trying to find out is this, and I will put it this way. The head end trainman on a train, would he be regularly assigned to you in the same way as the fireman would be?

A There was no fireman or brakeman regularly assigned. The pools were such that they were off balance. There were 10 engineers to 11 firemen.

Q So they would take turns?

A You would get a different man each turn.

Q We were told earlier that the head end brakeman would in most cases be the junior of the trainmen, is that right?

A He would be the junior trainman, yes, sometimes only.

Q Usually?

A Usually, yes.

Q He would be the junior man?

A Yes.

Q Right?

A Yes.

Q I am just wondering whether you would be likely to rely on the judgment of a junior brakeman as much as on the judgment of a fireman, assuming he is a good

qualified fireman?

A Well, you can put it this way. You have a fireman and you have a brakeman. The fireman in many instances over the years could have been the junior and I relied -- I am not going to say one way or the other-- I relied on the two of them.

Q Well, would I be right in view of what you have just said to put it this way: if you had a fireman who had some years of service and was fully qualified and at the same time you had a brakeman who was junior, you would naturally rely more on the fireman's judgment; if you had, on the other hand, a brakeman who had some years of service and a fireman who was junior, you would naturally rely in that situation more on the brakeman's judgment? Would that be about what you had in mind?

A I am going to say I relied on them both equally.

Q You made I think, if I am not unfair to you, the general statement that retainers are not likely to be used with diesel engines, but you qualified it in each case if I remember correctly by stating when you had no more than an A rating?

A Yes.

Q Would you have more than an A rating quite frequently in the area going west

out of Field, do you know?

A I understand there is a system in effect these last few years where they have a tonnage to haul from Field to Beavermouth, a reduction is made at Beavermouth.

Q I have had a little chart drawn for me so that I would be able to discuss this matter with you. I understand that the A rating for a four-unit diesel locomotive from Field to Beavermouth would be about 3,600 tons; would that be right, do you know?

A I could not tell you that.

Q But whatever it is, and assume for the moment that I am right, and that for the controlling grade in that part of the subdivision from Field to Revelstoke there was an A rating of 3,600 tons; if you took 4,500 tons or 5,000 tons you would set off the excess at Beavermouth? That is the **excess**, not only over 3,600 but the excess-- correct me if I am wrong -- over the A rating beyond Beavermouth which is less than the A rating up to Beavermouth; do you know whether that is right or wrong?

A Yes. The tonnage on the haul from Beavermouth to Stoney Creek, as far as I can see, is 800 tons per unit, which would be 3,200 tons for four units.

Q I am instructed that further east

between Field and Beavermouth it is about 900 tons per unit, making the 3,600 tons I suggested to you. But you say you do not know whether that is right or wrong?

A No, I do not.

Q Let us assume that 3,600 tons is the A rating -- my information may be wrong but it does not matter whatever it is -- and you had an excess tonnage on leaving Field, then you would have to apply retainers, would you not?

A Yes.

Q As a matter of fact the time card makes that clear, does it not? If I remember correctly, we have Exhibit 25, but I do not know whether copies have been supplied. That covers the Mountain Division.

THE CHAIRMAN: What page?

MR. LEWIS: Page 21. This time card I am looking at supersedes the present one. You have in your hand the present one?

THE WITNESS: I cannot read it.

BY MR. LEWIS:

Q Let me read it to you. I want to put this on the record and I do not think there is any controversy about it. I am reading from page 21 of Exhibit 25 under "Special Instructions" where it states:

"Unless otherwise provided, retainers must be set up on all cars in the train and tested in accordance with the air-brake rules.

When the tonnage handled on the descending grade exceeds A rating for that grade in the opposite direction, for the diesel electric units on which the dynamic brake is in effective operating condition retainers must be used on at least 50 per cent of the cars."

Do you remember that provision in the time card?

A Yes.

Q I think I am right in suggesting to you that that provision is present in the new time card No. 109 as well, and has been in the time cards for quite a while. So if you have a tonnage exceeding the A rating and you are going down grade with diesel electric units you have to apply retainers on at least 50 per cent of the cars?

A Yes, sir.

Q Under those circumstances you would continue to make the same kind of thermo test that you did before with steam?

A Yes, sir.

Q Am I right in suggesting to you that for a

good part of the year you frequently have an excess over A rating leaving Field and going west?

A I cannot say, Mr. **Lewis**.

MR. LEWIS: I have done my best to protect you, Mr. Sinclair.

MR. SINCLAIR: Apparently my questions are like yours.

MR. LEWIS: If my friend is going to be insulting I will not be as nice to him again.

BY MR. LEWIS:

Q By the way, these thermo tests are controlled in part by the air-brake rules, are they not?

A Yes, they are.

Q There is a paragraph on page 21 of the air-brake rules that refers to testing the pressure retaining valves and so on, and how it should be done, and you still have to do that with diesel units if you have an excess of the rating?

A Yes.

Q An excess over the A rating?

A An excess over the A rating.

Q Did you have any experience either as a fireman or engineer on stoker-fired engines?

A I did not.

THE CHAIRMAN: Before you leave that.

Have we on the record the part played by the fireman in this matter you have just been discussing?

BY MR. LEWIS:

Q When you have to put up retainers and so on, what happens as far as the crew is concerned, Mr. Hooley?

A At the point where the retainer valves are set up --

Q In this case, and excuse me for interrupting you, after leaving Field that would be done at Leancoil?

A Yes. The head and rear trainmen adjust the valves to the "on" position.

BY THE CHAIRMAN:

Q What valves are you speaking of?

A The pressure retaining valves.

BY MR. LEWIS:

Q They put them on in every second car or something like that when they have to put them on at least 50 per cent of the cars?

A Yes.

Q That is done while the train is standing?

A While the train is standing, yes.

Q Is there any duty of the trainman with regard to watching the retainer valves as you go down grade?

A Going down grade there will be running inspections made to observe if there is an excess amount of smoke which may or

may not tell you that there are wheels becoming heated.

Q In that situation what are the duties of the engine crew, the engineer and fireman; what do they do?

A They have nothing to do.

Q With setting up --

A In connection with setting up or taking down the retainers.

Q The retainers are taken down when you reach Golden going west from Field?

A The retainers are right now -- I could not tell you where they are taken off. I could tell you about the steam days, Mr. Lewis, but I have not been on a train that has had in excess of A rating, so I cannot tell you just where.

Q You have not been on a diesel train that has had in excess of A rating?

A In that territory.

Q Leaving Field?

A That is right.

Q Have you had it in any other territory, you said in that territory?

A At North Bend and Kamloops we haul very big trains, but there is no need of retainers.

--

--

Q You do not need them there?

A No.

Q Now, this business of putting on retainers and taking them off and the thermal test means, does it not, Mr. Hooley, that the time taken over the road is thereby increased?

A Yes, it does.

Q And it applies to this mountain area from Field to Revelstoke?

A Yes.

Q Or any other mountain area where retainers may be needed if you have got in excess of an "A" rating?

A When retainers are used it takes extra time applying and also at your inspection points.

Q Extra time applying the retainers, taking them off and also at standing inspection points? You said at the inspection points?

A Thermal inspection points.

HON. MR. McLAURIN: You should be an expert on these retainers. Are they connected with the ordinary air chamber on the car?

MR. LEWIS: It has been explained to me but I do not think I would dare to attempt to explain it. Perhaps Mr. Hooley would be good enough.

THE WITNESS: It is a pipe coupled up to your brake cylinder and the valve, the pressure retainer valve is located approximately 18 inches from the top of the car and it has a

little handle that is either worked by hand or the men that are more adept can use a brake club to knock the retainer down or up.

BY MR. LEWIS:

Q Am I right -- probably I am not, Mr. Justice McLaurin -- that what in effect you do by attaching these retainers to the brake system of the car is that you make a partial application of the hand brake? Is that right?

A No.

Q I knew I was wrong. What do you do?

A This device does not allow the air brake cylinder to release at the time the engineer puts his automatic brake valve handle to the release position. They try to give you enough time to fully recharge your train line.

BY THE CHAIRMAN:

Q Perhaps this would be a good point for us to try to understand this. Are these retainers a separate system from the ordinary braking system on the train or do they work in conjunction with the ordinary braking system?

A This valve is used just on a heavy descending grade.

Q I know.

A And it has nothing to do with the operation of your train brake.

Q Then it is independent?

A Independent.

Q And how does it function?

A It is a spring loaded valve that holds the pressure in the main brake cylinder.

Q The air pressure?

A Yes.

Q Well then, you seem to be linking it up with the main braking system?

A But it does not hinder your operation from the engine.

BY HON. MR. McLAURIN:

Q When you put on these retainers does that not have the effect of retarding the mobility, the turning of the wheels, slowing them up or something?

A It retards the release and it holds your brake on.

MR. LEWIS: I think I confused all this by referring to the car brake instead of the train airbrake system when I asked that question.

THE CHAIRMAN: Perhaps you had better clear it up.

BY MR. LEWIS:

Q It has nothing to do with the hand brake on the car but it does have some connection, does it not, with the airbrake system?

A It is a pipe to the brake cylinder.

Q To the brake cylinder?

A Yes.

Q And without going into technicalities because I am not well enough informed, I understand it

has some retarding effect on the air brake system when it is applied by the engineer or whoever may apply it?

A Yes.

Q It has a retarding effect on that system?

A Yes.

Q It keeps part of the braking applied?

A Yes, it does. That is correct.

THE CHAIRMAN: Oh, I see. It simply prevents the entire release of the air brakes from the train.

MR. LEWIS: So I understand.

HON. MR. McLAURIN: It is not a retarder of the train or of the cars.

MR. LEWIS: I am afraid I cannot help you.

THE CHAIRMAN: If it prevents the entire release of the air brakes on the train it does retard the movement of the wheels at all times?

MR. SINCLAIR: It works on a time limit basis, sir. If I may say so, I think what the witness is saying is that when they are set up and the engineer draws off some air he can then release his valve on the engine without releasing the brakes on the cars because these retarders working on a time interval will enable that brake to come off gradually and automatically while the engine is recharging the train line.

THE CHAIRMAN: That is the effect of it, that the brakes controlled by the engineer still

function completely.

MR. SINCLAIR: Yes, sir.

THE CHAIRMAN: And apparently in controlling that system there is a time when the engineer releases it entirely and then during that interval the brakes are not operating at all but the air tanks are being refilled automatically. Is that it?

MR. SINCLAIR: The train line is being pumped up again and at the same time the brake shoes are being released gradually in accordance with the draw-off that the engineer had previously made, but the engineer still has control completely through his brake valve by making an emergency application if he wishes or a further service application.

THE CHAIRMAN: Leave the retainers out of it for the moment and just take the air brake system on the train which is controlled by the engineer. If he puts them on they apply and if he releases them they come off immediately.

MR. SINCLAIR: Yes, sir.

THE CHAIRMAN: And this pumping up of the system, what is that?

MR. SINCLAIR: That is a recharging. If you draw off 15 pounds it has to be recharged from the engine.

THE CHAIRMAN: If the brakes are applied they are using air --

MR. SINCLAIR: Out of each of the

reservoirs in each of the cars.

THE CHAIRMAN: If the brakes were left on long enough would the reservoirs be exhausted?

MR. SINCLAIR: The pump will not permit that, sir, and then you get into a type of brake which is known as the AB brake involving the auxiliary air reservoirs and they feed into the main reservoirs. They are set up so that does not happen and also the engineer always has the ability to apply the full emergency brake.

THE CHAIRMAN: Still leaving out this retainer business, you have your braking system and when the brakes are applied some air is being used.

MR. SINCLAIR: Yes, sir.

THE CHAIRMAN: All right. If the retainers are put on when that takes place what difference does that make?

MR. SINCLAIR: It retards the release of the brake shoes from the wheels for the time interval for which the retainer is set. Say the engineer draws off 10 pounds. He releases 10 pounds and when he puts his brake valve back on the engine that ordinarily would have taken the brake shoes away from the wheels.

THE CHAIRMAN: What is the object of that time element?

MR. SINCLAIR: The object of that time element is to enable the engine to recharge the train line. In this time interval air can be

pumped back into the whole train line and brought right up again.

THE CHAIRMAN: Why is that necessary?

MR. SINCLAIR: It gives you greater braking power, greater braking control with a full air train line.

THE CHAIRMAN: If your reservoirs are full the brakes can hold more than they can if your reservoirs are being exhausted. Is that right?

MR. SINCLAIR: Yes. For instance, you would be able to make at any time a full service application of 20 or 25 pounds.

THE CHAIRMAN: I think this is a very simple thing but I am not getting it. Perhaps you could put it in a couple of succinct paragraphs so we will understand it.

MR. SINCLAIR: I would be glad to do that.

MR. LEWIS: In one of the mechanical examination forms, which I need not file, there is a short paragraph but whether or not it is more helpful I do not know. The question is:

"How does an emergency brake application differ from a service application?"

The answer is:

"An emergency application results when the brake pipe pressure is reduced rapidly enough to cause the piston of the triple or

control valve to move beyond its service position. The resultant venting of brake pipe air to the brake cylinder or to the atmosphere transmits the emergency action rapidly to the next car in the train."

HON. MR. MARTINEAU: Is that supposed to be clear?

MR. SINCLAIR: We will be able to ask my next witness, Mr. Crump. He is a mountain man.

MR. LEWIS: I will certainly defer to Mr. Crump.

THE CHAIRMAN: Perhaps you might tell us, Mr. Lewis, what is the importance of the subject so far as this witness is concerned?

MR. LEWIS: With very great respect, Mr. Chairman, and I say this respectfully -- perhaps this is why I did not brief myself better on it -- I do not think the manner of operation or mode of operation or effect of the application of the retainers is of any relevance that I am able to see to the issue before the Commission. What I thought and think is of relevance is in relation to the mountain differential and the fact that so long as you still have to apply retainers you have the problem of additional time in going over the subdivision.

THE CHAIRMAN: My mind was not following you.

HON. MR. McLAURIN: I thought it was that. I am glad you were not working just for the court reporters.

MR. LEWIS: No.

THE CHAIRMAN: My colleague lives a little closer to the mountains than I do.

MR. LEWIS: I was not doing that at all.

THE CHAIRMAN: Perhaps this would be a convenient point at which to adjourn.

---The Commission adjourned at 12.30 p.m. until
2 p.m.

Thursday,
May 9, 1957

AFTERNOON SESSION

-- The Commission resumed at 2.00 p.m.

MR. F.V. HOOLEY, Recalled

BY MR. LEWIS:

- Q Mr. Hooley, I do not know just how important this is but I think you said that there was very little snow west of Sicamous?
- A Very little, compared with the mountain.
- Q Compared to the mountain?
- A Yes. You run out of the snow around Sicamous. At Revelstoke there might be 36 inches on the level and there might be six inches at Sicamous.
- Q Yes. I am instructed by the people from that part of the country -- the same part of the world from which you come, Mr. Hooley -- that it gets heavy again at and around Notch Hill.
- A It could. During my time there -- I worked at Notch Hill for quite a period -- and during the winters I was there you might get a foot.
- Q You would get a heavier snow?
- A Yes, a heavier snow, between Tappen and Squilax, over the summit of the hill.
- Q Between Tappen and Squilax?
- A Yes.
- Q Going west?
- A Going west.

F.V.Hooley

Q It is the Shuswop subdivision that we are talking about now?

A Yes.

Q And, as a matter of fact, I am instructed that the snowplows work beyond Sicamous -- west beyond Sicamous?

A If they do, it will be very, very seldom, to my knowledge.

Q Not even as far west as Notch Hill?

A On one occasion -- I could not tell you exactly what year -- there was a snowplow during a severe storm run into Kamloops, but other times they might run as far as Chase. But these occasions are very rare.

Q What about snow / ^{slides} on the Shuswop subdivision?

A You would get a snow slide condition at Three Valley.

Q Yes?

A You will get a snow slide condition between mileage 85 and mileage 86 or mileage 87 -- that would be between ^{Elson} ~~Nelson~~ and Squilax.

Q Just east of Squilax, would you get snow slide conditions?

A Yes.

Q So that you do get some of the same conditions on the Shuswop subdivision as regards snow slides as you get on the Mountain subdivision?

A Yes.

F.V.Hooley

Q But not as --

A Not as extensive.

Q Not as serious?

A No.

Q But some?

A Yes. Well, they can be just as serious, yes.

Q You said something about, and you just illustrated that the men who know the road know more or less where the snow slides might be expected?

A Generally.

Q They cannot know when or exactly where they will occur but they do have an idea of the general area, is that it?

A Yes, the area where the snow slides generally come in which are the same spots year after year. There can be a condition that there will be slides come down not in one of these positions but I would not say it is ordinary.

Q And the same thing is true with regard to rock slides, I gather. You would have a general idea, would you, of the area?

A The only thing I can tell you about rock slides is that they are where you find them.

Q As a matter of fact, does it not require very great alertness on the part of the head end crew to watch for obstructions on the rails -- on the tracks?

A I would not say "great alertness", no. The men take it in their stride.

Q You have the habit, do you not, on the railway, of issuing orders or having orders delivered to you with regard to alertness?

A Yes, we do.

BY THE CHAIRMAN:

Q With regard to what?

A Alertness.

MR. LEWIS: Alertness for ^{observations} instructions on the track.

BY MR. LEWIS:

Q And this kind of thing would not be unusual, would it. You might get a train order saying, "Run cautiously between Northbend and Spence's Bridge, account danger of rocks on track." That kind of order is not unusual?

A That is not unusual.

Q And the purpose of that order, presumably, is to alert the head end crew to watch out for them?

A Yes.

Q As a matter of fact, Mr. Hooley, I noticed in going through some papers -- you correct me if I am wrong -- that in that part of Canada the railway has the practice of rewarding employees with merit marks related to the observation of obstructions and their removal?

A That goes for practically the whole of British Columbia, yes.

F.V.Hooley

Q The whole of British Columbia?

A Yes.

Q It would not be unusual, for example, for somebody to get five merit marks in the usual form, reading:

"Detecting large boulder which fell
on main line,"

or something like that?

A I do not know about that. I have not seen these forms. Generally, the educational bulletin which is put out each month --

Q I will come to that in a moment, Mr. Hooley. Mr. Chairman, just out of general interest -- I do not know how significant it is -- perhaps I might have your permission to file this as Exhibit 197.

THE CHAIRMAN: Exhibit 197. What is it?

MR. LEWIS: It is form No.104, to S.R.

Knight, diesel helper, dated at Calgary, November 21, 1956.

THE CHAIRMAN: Yes.

EXHIBIT NO.197: Form No.1041 issued
to S.R.Knight, diesel
helper, dated Calgary,
November 21, 1956.

BY MR. LEWIS:

Q Mr. Hooley, I do not expect you to know anything about this particular form?

A No, I do not.

Q But I just want to ask you whether you have seen this kind of form?

A Yes.

Q It reads:

"Please be informed that your record has been credited with five merit marks for detecting large boulder which fell on main line and taking prompt action to stop oncoming passenger train."

The issuing of such forms is not unusual, is it, in your part of the world?

A I would not say it is unusual. It is the practice that when rocks are found on the tracks it is brought to the attention of the officers and that type of form will be used.

Q Yes. And in the educational bulletins you were talking about, they are bulletins posted up each month, are they not?

A Yes.

Q Which set out both merit marks and demerits?

A Yes sir.

Q And they give the occupation of the person but not the name, is that right?

A Yes.

Q On these bulletins?

A Yes. Well, they give the name for the merits.

Q Yes, they give the name when they hand out merits but they do not give the name when they hand out demerits?

F.V.Hooley

A Yes.

Q And, as you have said, frequently there will be merit marks for people recorded in the educational bulletins -- there will be merit marks for people who notice and help remove obstructions on the line?

A Yes.

Q Now, have you had any experience of any member of the crew being disciplined for having failed to notice obstructions? Do you know of any such case yourself?

A Not to my knowledge.

Q Do you think you would be able to suggest any reason why your company watches this business of obstructions on the tracks in British Columbia so carefully through the mountains and gives merit marks in relation to them?

A I could not give you any information as to company policy.

Q Well, would it not seem reasonable to you to conclude that the danger of obstructions is so frequent and the consequences of hitting such obstructions so dangerous that the company is very anxious that people be alert about them and they hand out these merit marks in recognition of such alertness? Would that not be a logical conclusion?

A It could be, yes.

Q And do you know enough about the operations of the railway in places other than the mountains

F.V.Hooley

to be able to say whether that kind of consideration enters anywhere else in the railway operations to the same extent?

A The territory that I am familiar with -- well, I have worked on the mountain subdivision, Shuswap subdivision, and as road foreman on the Thompson, Cascade and Coquihalla, Princeton and the Carmi, and the rocks seem to be more prevalent in the territory as outlined in that order for small territory on the Cascade and for territory on the Coquihalla subdivision.

Q Perhaps I am wrong but I am under the impression that you were shown Exhibit 8A the other day, the map marked R-107, were you?

A No, I was not shown it.

Q Would you be good enough to look at this map and tell the Commission whether the dangers of such rock obstructions coincide with the track marked in red or in blue or is it in both places?

A The rock conditions extend from here --

Q Here being?

A East of Lytton, to Yale.

Q To Yale?

A Yes.

Q Which is?

A West of Northbend, and between Coquihalla and Iago.

Q Which is where?

F.V.Hooley

A On the Coquihalla subdivision.

Q And which way, east or west?

A It is 31 miles west of Brookmere towards Hope.

Q That would be on the red. The first you mentioned was on the blue track and the second is partly on the blue and partly on the red, is that right?

A Brookmere -- that is where the Coquihalla subdivision begins. It is all red territory.

Q Any other place where the rocks are prevalent?

A Brookmere is blue territory. Right in here is the worst territory I have seen.

Q In here being where?

A Between Spence's Bridge and Yale.

Q Going west?

A Yes.

Q From Spence's Bridge to Yale?

A Yes.

Q As a rule there isn't any in the mountain subdivision?

A Yes, there are rocks, but you ask^{ed} me which was that where the rocks would be more prevalent.

Q No, I do not remember asking that question. I am just asking if there are any rock falls also to be looked for in the mountain subdivision itself?

A There is a place just east of Beaver mouth at mileage 58 where rocks have come down there in years past and between Golden and Glen Ogle.

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- Q That is, all the places you have mentioned are on the Mountain Subdivision?
- A Between Golden and Glenogle, yes.
- Q Thank you. You said, Mr. Hooley, that if you had a fireman -- correct me if I have got you wrong -- if you had a fireman who was in passenger service and had not previously been in any freight service, but who had written all his mechanical examinations so that he was qualified as an engineer, and had also written his A book, that you would think he could qualify -- that you could qualify him for engineer in freight service in about 2500 miles or ten round trips?
- A Yes, the average man.
- Q Mr. Hooley, you have known cases where engineers have been set back as firemen as a means of disciplining them for not running properly?
- A I have, yes.
- Q And that is done for educational purposes -- for the purpose of giving an engineer a chance to re-educate himself? Is that right?
- A No.
- Q What is it done for?
- A It is a form of discipline. That is as much as I can tell you.
- Q It has nothing to do with anything about giving him an opportunity to improve his engineering skills, as it were?
- A No.

Q Nothing at all to do with that?

A I would not say so.

Q Do you know of any engineer who has been set back for failure to carry out his duties as an engineer properly after as few as 2500 miles?

A No, I don't.

Q No. As a matter of fact, it is more likely to have been 20,000 miles or 40,000 miles or 50,000, is it not?

A Yes.

THE CHAIRMAN: You mean that an engineer who is so disciplined would have had 20,000 or 25,000 miles?

MR. LEWIS: Yes, or 40,000 or 50,000.

BY MR. LEWIS:

Q You don't think, if I understand you correctly, that the length of time -- yes, I suppose it is time, too -- that he is set back from engineer to firing as a discipline for not carrying out his duties as engineer properly has anything to do with the length of time it requires for him to become a good engineer again?

A No, I don't. I have nothing to do with forms of discipline, and if a man is set back -- there are different causes, and as far as the qualification of an engineer goes, I still maintain that I could take an engineer or a fireman who had three years, who had passed the required examination, and qualify him under 2500 miles; or if I thought it necessary

I would go with that man more.

Q He is a man who has been on passenger service only?

A I fully understand that.

Q For the benefit of the Commission, Mr. Hooley, what does he learn in passenger service about the road that he requires to know in freight service?

A When you are in passenger service as a fireman you would gather knowledge of the contour of the land you go through.

Q Would he likely go over a number of subdivisions if he was regularly in passenger service or would he more likely be assigned to a given train?

A There are, generally, sometimes two and sometimes three subdivisions that this man would be able to work on, and as his seniority entitles him he might go from one subdivision to another.

Q It would not be usual for him to go over more than two or three subdivisions, generally, would it?

A Not necessarily, unless he transferred the way some of the men do, we will say, from Revelstoke to Nelson; from Nelson to Kamloops or Vancouver.

Q He won't have had any experience at all in switching operations and handling an engine during switching operations?

- A As far as handling an engine during switching operations, he could pick that up easily enough.
- Q But he would not have had any experience?
- A No, he would be a passenger fireman.
- Q Just passenger, with no yard experience and no freight experience -- merely passenger experience, and in that passenger experience he could not acquire any switching experience. You agree with that, but you don't think it needs very much?
- A When you use the term "switching" do you imply that it is yard or road?
- Q Both are involved, are they not, even in road operations?
- A Well, there is switching on the road and switching in yards.
- Q Yes, and every road crew, even if it is only when it sets out and arrives at its final destination, every road crew has to do switching in the yards as well as in intermediate places. Isn't that right?
- A Yes.
- Q He won't have had any experience either in yards where he has to make his train up or set his train down, or on the road. He won't have had any experience in that, will he?
- A No.
- Q He will not have had any experience in handling a train with more than -- what would be the longest passenger train -- 15, 20 or 22 coaches?

A In our territory they run as high as 24 or 25.

Q That would be about the maximum length?

A The maximum.

Q Yes, so he would not have had any experience in being merely a passenger fireman, in having to do with a train that might have 80, 90, 100 or 110 cars. Isn't that right?

A We will put it this way, Mr. Lewis: If this fireman is taken off a passenger run and promoted to engineer he would receive instruction as to running a yard engine or a road engine as the case might be.

Q Yes. I am interested, Mr. Hooley, in your statement which you made quite categorically that this man who has only passenger firing experience -- you could make him into an engineer for a freight train or an engineer for a yard train -- both, actually -- in no more than 2500 miles of sort of instruction trips, though in passenger service he will not have had any experience of pulling a train or having a train pulled longer than about 24 or 25 coaches. Is that right?

A When I say 2500 --

THE CHAIRMAN: 2500 miles?

THE WITNESS: 2500 miles. When you are out on the road you will find that 2500 miles is a lot of hours and when you instruct a man, the average man should learn in that time.

BY MR. LEWIS:

Q You take him in ten different subdivisions, if I understood you correctly, to get in that 2500 miles -- or is that not the case?

A Oh no. Not necessarily.

Q Not necessarily ten?

A Oh, no.

Q But over a number of subdivisions -- a total of ten return trips? I just want to go over the various things he does or does not learn in passenger service, and I come back to the question I was asking earlier: He would not have had any experience in pulling a long freight train?

M-2 A He would not.

Q No. He would not have had any experience, would he, in pulling anywhere near the tonnage that as a road freight engineer he has to pull?

A He would not.

Q I have no idea -- perhaps you have -- as to the tonnage of the longest passenger train of 24 or 25 cars --

A 24 or 25 cars would run up around, I would say, 1900 tons.

Q When you say that a freight train is 3600 tons, what do you include in that tonnage, Mr. Hooley -- the cars themselves as well as the contents, or what?

A Yes, cars and contents.

Q And you say that 25 passenger cars would add

up to about 1900 tons?

A Approximately, yes. There are cars of different tonnage.

Q And he would therefore not have had this other experience I have mentioned.

Now, for example, we discussed retainers this morning. I am not going into the mechanical end of it; I have shown up my ignorance enough for one day. Mr. Hooley, would he have had any experience in the application of retainers on the down grades if he was in passenger service?

A No, he would not.

Q As a matter of fact, Mr. Hooley, he would not have had any of the experience necessary to run a freight engine other than the handling of the throttle and the brake? Isn't that right?

A Well, Mr. Lewis, that is what the company employ me for.

Q To teach him?

A To instruct them in the proper operation of the diesel engine and the handling of the train.

Q What my question adds up to is the suggestion, Mr. Hooley, that perhaps you underestimated the amount of time that would be required to train these passenger firemen to become competent road freight engineers.

THE CHAIRMAN: Maybe that is what the

witness has been doing.

MR. LEWIS: I don't understand --

THE CHAIRMAN: Maybe that is what the witness has been doing over a period of years. I presume that is what he is saying, that it has been the practice over a period of years. He is turning out these firemen.

MR. LEWIS: Is that what it would be based on?

THE WITNESS: No.

BY MR. LEWIS:

Q Because you have not actually had that kind of experience, Mr. Hooley?

A Not as yet.

Q The people who become freight engineers are usually, or perhaps even always now, men who have had firing experience in freight as well as passenger?

A Yes, sir.

Q And perhaps even yard as well as freight and passenger experience in many cases. Is that right?

A They have had general experience on all the jobs.

Q And so, when you take a fireman who has had experience in all these services I do not quarrel with you, Mr. Hooley, that you could properly train him to become a road freight engineer in, probably, less than 2500 miles, I suppose --

A Yes.

Q But you still think that 2500 miles would be enough in the case of a man who has had no experience other than firing a passenger diesel?

A That is the time that I have come to the conclusion is about necessary. I am pretty certain that with a ^{Average} ~~calibre~~ man that would be the approximate time.

Q One other point in relation to that: In my understanding -- it has been my understanding since I began to become a little bit acquainted with this problem, that one of the major requirements of the engine crew is to know the road, the contours, and the difficulties that may be encountered?

A That is what I told you, Mr. Lewis.

Q Yes, and as a matter of fact I recall seeing one of the booking-out books in one of your terminals, or offices, whatever it is -- the engineer and perhaps even the fireman has to sign something to the effect that he knows the road well?

A Yes.

Q Do you remember the actual wording?

A I cannot tell you that right off. It is something to that effect.

Q We are now visualizing, as you know, a situation where the engineer would be the only member of the engine crew -- the helper

would be gone -- and in that situation wouldn't you agree with me that the knowledge of the road on every subdivision to which that engineer, being the only member of the engine crew, is sent -- that knowledge of the road by him becomes even more important than it is now when he might be supplemented by an experienced helper. Wouldn't you agree with that?

A I could, yes.

Q In spite of that you still think that .
2,500 miles would be enough?

A I still say; I am of the opinion I could,
well, take you out, Mr. Lewis, and do it.

MR. SINCLAIR: Steady, that is
going pretty far.

MR. LEWIS: Do not be too rash.

BY THE CHAIRMAN:

Q You say that you do pass men to be freight
road engineers?

A Yes, I do.

Q Where do those men come from? What is
their previous experience?

A Their previous experience; they start in
as wipers, firing yard engines, firing,
spare board, and road freight.

Q Is a fireman on a passenger train in
passenger service one who has spent all
his time on passenger service?

A No, they start right at the bottom and as
your seniority builds up --

Q He would be in both?

A You end up before you are promoted to a
passenger run as fireman.

Q You would have had experience in both
freight and passenger?

A Yes.

BY MR. LEWIS:

Q And sometimes also on yard service?

A Yes.

Q You probably have Exhibit 173 there, your trip reports?

A Yes.

Q I am interested in page 1 for the moment of Exhibit 173, Mr. Hooley. You tell the story at the bottom of a train parting between the first and second cars from the engine at Mileage 32.5. That would be between Cloister (?) and Golden, as my time card shows?

A Yes.

Q You give the reason for the parting of the train, and then you say:

"Head trainman gave signals to fireman account left-hand curvature but not necessary as conductor was approaching point of separation."

Right?

A Yes.

Q First, I am interested to know whether the conductor reached the point of separation before or after the joining up of the cars had been done?

A The joining up of the cars had been done.

Q When he got there?

A Yes. He brought an air hose. He thought it was a burst hose.

Q I understand that on that trip you had 41 cars?

A Yes.

Q I have no doubt you have had experience where there have been quite a number more than 41 cars on that run?

A Yes.

Q Is that right?

A I have had experience with that, yes.

Q Supposing you had 65 cars, then in that case the conductor would have had to walk down about 64 cars?

A Yes.

Q Your suggestion is that in that case the head end crew would wait until the conductor or the rear end brakeman came up in order to relay signals to the engineer; is that right?

A Yes.

Q Until they had walked those 64 car lengths. Do I understand you correctly?

A Yes.

Q This uncoupling, if I may call it that for brevity, happened to occur between the first and second cars, but I suppose you have known it to occur further back, at the tenth or eleventh car in a train?

A Yes, I have.

Q Or the fifteenth; right?

A Yes.

Q Suppose it had occurred between the tenth and eleventh cars on this left curve here, in that situation would it

be possible for the signals to be given to the engineer even if the conductor and the rear end brakeman came up?

A I think so, yes.

Q In that terrain?

A Yes, in that terrain. At this spot, Mileage 32.5, it is a very slight curvature.

Q I understand, or at least I am told, that it is a very narrow canyon there?

A There is ample room at this point to walk along the train.

Q Yes, but not to walk out any distance from the train?

A No, you cannot walk out any more than ten feet.

Q Just a few feet; you have a canyon there?

A You have rocks on one side and water on the other.

BY THE CHAIRMAN:

Q Then your answer involved that somebody would be on top of the cars?

A Yes.

BY MR. LEWIS:

Q You say that this curvature is pretty slight?

A At this point, yes.

Q But you know that along this Mountain subdivision there are much sharper curvatures than that?

A I do not know the degrees of curvature over the Mountain, but there are some very bad curves.

Q In that situation your solution might not work if the curve was sharper, is that right?

A Yes.

Q Then you could not give signals on the engineer's side, they would have to be given if the curve were as sharp as some of the others; they would have to be given on some other side, whether by the fireman or somebody else; they would have to be given on the other side; is not that right?

A It could be, yes.

THE CHAIRMAN: Does that mean that in order to have it given on the right-hand side you would have to have four men involved, no matter where they are placed?

MR. LEWIS: I do not think I would be justified in making that suggestion, Mr. Chairman. I have not gone over every area, but I imagine --

THE CHAIRMAN: I am only talking about this area; I am trying to understand this evidence.

MR. LEWIS: Let me put it to the witness another way.

BY MR. LEWIS:

Q Do you know of any curvatures, remembering all the time you have this narrow canyon, as it were, with rocks on one side and water on the other, or sometimes rocks on both sides; is not that right?

A Yes.

Q Are there places where if your trouble occurred 15 or 20 cars back of the engine; do you know whether there are places where it would not be possible for all three of the train crew to give signals to the engineer, direct to the engineer?

A You say all three?

Q Yes.

THE CHAIRMAN: By using all three.

BY MR. LEWIS:

Q By using all three, waiting for the conductor and rear end trainman to come up, and then the head end trainman, the rear end trainman and the conductor would be available for relaying signals direct to the engineer, if that were possible.

BY THE CHAIRMAN:

Q Are there any situations where using all three trainmen and the engineer's signals could not be given on the right-hand side?

A To my knowledge, no.

BY MR. LEWIS:

Q You cannot think of any?

A I cannot think of any.

MR. LEWIS: You will hear more about these areas later.

THE CHAIRMAN: I just wanted to be clear as we went along.

BY MR. LEWIS:

Q Mr. Hooley, to take this a little bit further. Supposing you had a meet at Golden?

A Yes.

Q This is a single track, is it not?

A Single track, yes.

Q Suppose you knew there was a movement coming through and you had to get out of the way at some point. This particular incident occurred between Cloister and Golden?

A Yes.

Q You were going west?

A Going west.

Q Suppose you had to do that; then am I not right in suggesting to you that your head end trainman would have to go out flagging?

A He could, yes.

Q In the circumstances I put to you, not he could but he would have to?

A Yes.

Q So he would not be available for this switching move and coupling up the train and all this signal passing that is required in that case, would he?

A No.

Q And that is not unusual? I am not dealing with something that does not happen. These separations of trains have occurred in your experience, have they not, at a time when flagging had to be done when you stopped?

A Including these two, that makes three that I know of.

Q Three what?

A Three train partings when I have been on the locomotive.

Q You mean in all your experience?

A Yes.

Q In that mountain territory?

A Yes.

Q You have only experienced three train partings?

A Three like this, yes.

Q What do you mean like this?

A Caused by operating the lever, a high and low draw-bar slipping by.

Q What are train separations caused by? What could be the cause of a train separation? A break in the coupling?

A A break in the coupling.

Q Have you had any experience in all your years on the Mountain subdivision?

A The one I had was at Illecillewaet.

Q And then these two?

A These two.

Q And that is all?

A That is all that I can recall.

Q From all your years as fireman and engineer and Road Foreman of Engines?

A Yes.

Q In the Mountain territory?

A That is all I can recall. There may have been others, but to the best of my knowledge I am just saying three.

Q Well, it is a little strange, is it not, Mr. Hooley, that in making eleven trips within a period from April 11 to April 23 you came across one defective coupling -- I suppose there was some defect?

A The same again.

Q That in only a period of roughly eleven days, in trips taking eleven days you came across one defect, and that in all your years as fireman and engineer and as Road Foreman of Engines you also came across only one defect?

A It was not a defect, it was my fault. I pulled the draw-bar.

Q You came across no defect at all in all

those years?

A With a train parting you asked. I pulled a draw-bar.

Q With regard to a coupler or draw-bar or lever or anything else?

A To my knowledge; that is all I can recall.

Q In all those years?

A Yes.

Q That is all you can recall?

A I had one more parting.

Q Is that your impression, that most other engineers have had less fortunate experiences?

A Well, it is hearsay of course. Some fellows have some very bad trips, are unfortunate.

Q As a matter of fact, I suppose when you were in the bunk house listening to the other boys discussing their trips you heard about draw-bars being pulled and couplings coming apart much more often than had been your experience over the years?

A You hear everything in the bunk house.

Q I am not going to ask you to tell us everything you hear, I am just interested in this particular event.

A The men would discuss the things that happened on the road.

Q And this question of train separations

was discussed very frequently, is that not right?

A I don't agree with the word "frequently."

Q Well, what word would you use to describe it accurately?

A They would talk about train partings, but this would be -- instead of frequently it would be seldom.

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Q You very seldom heard about trains parting?

A Not too often.

Q What do you call "too often", once a year?

A I would not care to state a time.

Q Then this other experience you had, one experience in the 25 years, was it, of railway service before April 12th or longer -- I forget now --

A Thirty-seven.

Q The one experience you have had in all these 37 years of service of a train separation, Mr. Hooley, there was no need for flagging in that?

A There was no need for flagging at Illecillewaet. I got it right in the siding.

Q You got right in the siding?

A Yes, and I caused delay to train No. 2. It happened right in the siding itself.

Q And you were on a freight train?

A Westbound freight train.

Q And this train No. 2 would be a passenger train?

A Yes,

Q You delayed it because of this, you say?

A Yes.

Q But you did not have to flag that train No. 2 to warn it in any way?

A The rear crew flagged the train at the east switch of Illecillewaet.

Q Oh, you had to flag in the other direction?

A We were away down the siding when this happened.

Q You had to flag it east of you?

A The flagging was done by the tail end crew in this instance.

Q When that happens and if it happens on a left curve, as we have been discussing, and you have to flag either the rear or the front, then of course the number of men available for signal passing to the engine is reduced? Isn't that right?

A Yes.

THE CHAIRMAN: You might have to flag both.

MR. LEWIS: I was just coming to that.

BY MR. LEWIS:

Q Then, what would be the situation where you would have to flag both front and rear, Mr. Hooley, before I state it wrongly?

A If there were overdue trains from the east in this instance you would have to flag that train and you would have to flag the train that was approaching from the west.

Q And if you were in the kind of trouble of a train separation like that you would have to flag both front and back?

A Yes.

Q And you were on a left curve, how would you be able to pass signals directly to the engineer, Mr. Hooley?

A In this instance, Mr. Lewis, we were fortunate to have the train crew of No. 2 give us a hand.

Q In which instance?

A Where I pulled the drawbar at Illecillewaet.

Q Oh, I see.

A They were standing down at the station and through my over-anxiety to clear the train I pulled this drawbar.

Q You started her too fast?

A No, it was in brake handling, and everybody dug in and gave us a hand so No. 2 could proceed fairly well on time.

Q And if you did not have No. 2 crew to help you in the situation which I put before you with the left curve -- you would not expect it to be there always, would you, some crew of another train?

A No.

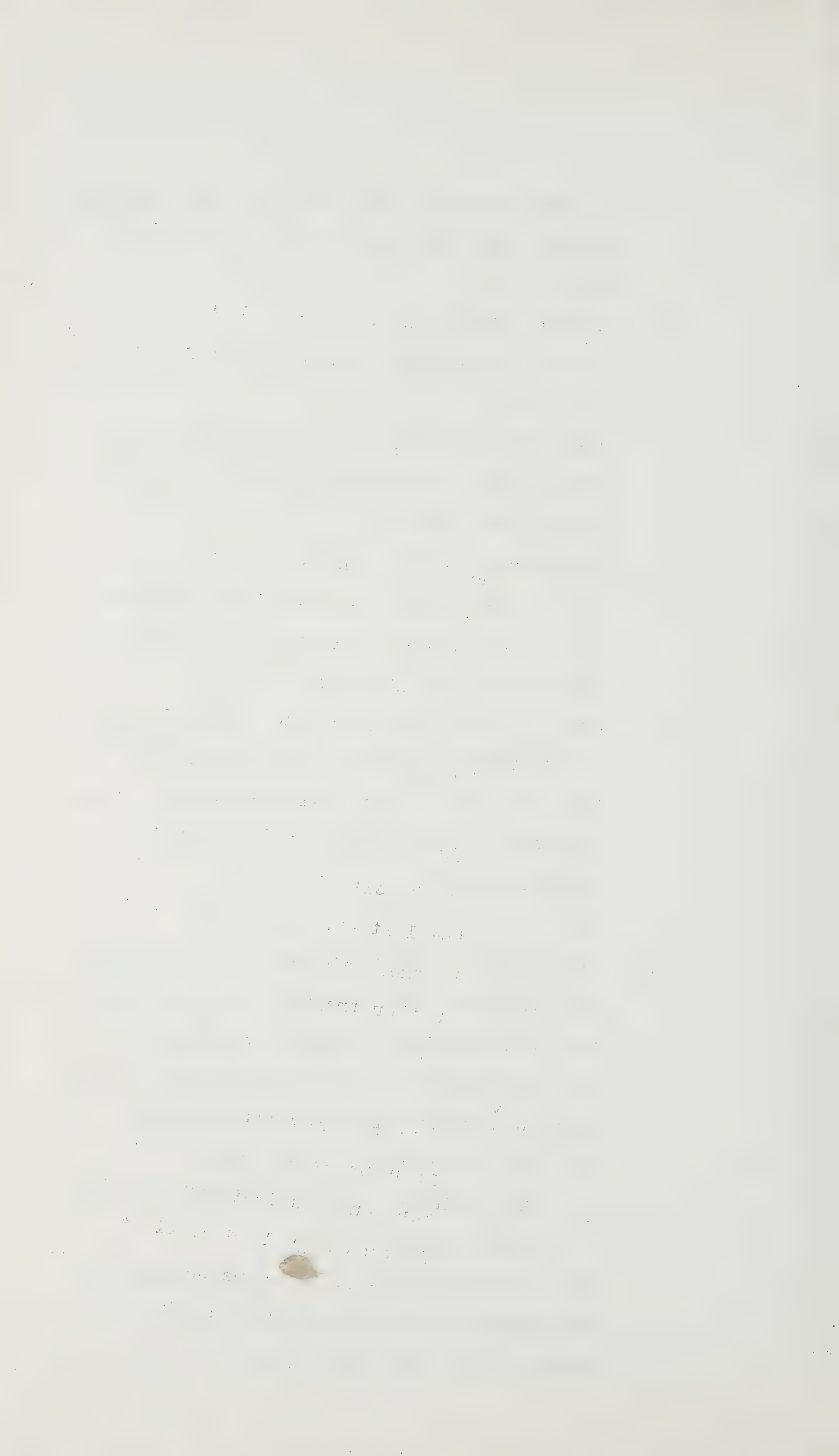
Q If you did not have that and you had one of your trainmen busy flagging ahead and one of your trainmen busy flagging behind and you were on this left curve, how could you possibly pass signals directly to the engineer?

A Did I say we were on a left curve?

THE CHAIRMAN: We are assuming you were.

BY MR. LEWIS:

Q The situation we are discussing is based on the assumption that there is a left curve at mileage 32.5, whatever it may be. How would



you in those circumstances be able to pass the signals directly to the engineer?

A You are in the siding on a left-hand curve --

THE CHAIRMAN: Oh, you might be on the main line.

THE WITNESS: Oh, you are on the main line and your head end man is flagging and your rear man is flagging.

BY MR. LEWIS:

Q Yes?

BY THE CHAIRMAN:

Q The train is separated and you have only got the engineer, the fireman and the conductor available. The question is, how could you pass signals on the right-hand side to the engineer?

A The signals would be taken by the fireman in this instance.

Q In those circumstances?

A In that instance, yes.

Q And if you did not have the fireman what would you do? What would you do if you only had two men, the engineer and the conductor?

A You would have to wait until your flag man came in or the conductor made arrangements to have the rear end of his train protected by train order.

Q Or another train crew came along and gave you some help?

A Yes.

Q All of which means delay?

A Yes.

Q It is merely a matter of waiting?

A Yes.

BY MR. LEWIS:

Q Mr. Hooley, please go to No. 2 of your trip records. In that you report about the removal of the filters by the fireman, and then I think you informed the Commission in your supplementary evidence that you told the fireman not to go, that he was wrong to go out while the train was in motion. Is that right?

A I told him he was crazy to go out.

Q And he went in spite of that?

A Yes.

Q Well, Mr. Hooley, I have not been able to find out about every one of your trips but in this particular case did you not have a disagreement with the engineer as to whether the fireman should go out?

A No, there was no disagreement at all with the engineer.

Q When you told the fireman not to go did the engineer not tell him to go?

A The statements were not that close together. The engineer said he thought it would be filter trouble.

Q Yes?

A And the fireman stated that he thought he better go out and the engineer says, "O.K., go ahead." I spoke up and I said, "Don't you think it would be better to back in?" I thought we

were still in the yard limits of Revelstoke, our tail end was, and the engineer said, "We can go with two units."

Q Did the engineer not say to you, Mr. Hooley, or say to the fireman, "You had better go because otherwise we won't be able to make the hill for No. 7 and the extra west." Did the engineer not say that and urge the fireman to go out and remove the filter for that reason?

A Where did I say --

Q It is not in the report. I am asking you whether you remember that?

A I don't remember it, no.

Q You do not remember that happening?

A No, the fireman went out and checked the filters after we went across the 13th crossing bridge and came back into the unit right pretty well at the east switch at Greely.

Q At Greely?

A Yes, and we proceeded from there to Loretta for a meet on a freight train.

Q That was the extra west?

A Yes, and to clear a passenger train.

Q And to clear a passenger train?

A Yes.

Q And my instructions are -- I admit they are long distance instructions -- that the reason the fireman went out was that the engineer told him to go out and told him that unless he had his full power -- I do not say these are the

words he used --

A No.

Q I am informed he told the fireman to go out and that unless this was done he would not be able to make it for train No. 7 and the extra west. Do you recall anything like that?

A I heard him tell the fireman to go out but I cannot recall that he said anything about No. 7 or the freight.

Q Now, sheet No. 6 of Exhibit 173, you inform us there that there were 19 cars picked up at Keefers and the signals were relayed through the fireman and then you add, "Not necessary if train crew properly positioned." Mr. Hooley, who was relaying the signals to the fireman? Who was it?

A The head end trainman.

Q And where was he when he was doing that?

A He was at the west switch of Keefers.

Q Did you see him immediately when this signal relaying started to the fireman or did you ask the fireman, "Where is the fellow?"

A No, I saw him with my own eyes there.

Q Where did you see him? Did you not see him on the ladder of the signal mast?

A I did, yes.

Q As a matter of fact, you could not even give signals through the fireman without climbing the ladder of the signal mast at that particular point? Is that not right?

A I don't think it was necessary, no.

Q Why do you think the trainman did it -- fun?

A I don't know why he did it.

Q Were you not informed that this was done there, that the fireman even cannot see the trainman unless he does that?

A No, I was never informed.

Q Would you describe to the Commission the trackage at this point, please, and inform the Commission how you could at that particular point position the train crew so as to relay signals directly to the engineer?

A The rear trainman could have stayed at the switch and the head trainman could have positioned himself on top of the cars.

Q And the engineer would see him if he was on top of the cars?

A I should think so.

Q Are you sure of that, Mr. Hooley? You are giving evidence to the Commission. Have you looked into that?

A I am pretty well positive.

Q I want to be fair to you, Mr. Hooley. I am instructed by a train crew man who has been over that territory that neither the engineer nor the fireman could see a signal given by one of the trainmen if the engine was around this left curve, that if the train person was on top of a car they could not see the signal from on top of the car at that

point?

A Gosh, I don't know why not.

Q You cannot say that?

A I cannot visualize it, how the engineer could not see him, but in this instance, as you say, I don't know if it was the rear trainman or the head trainman that was on the mast.

Q Had climbed the ladder of the signal mast?

A I didn't see him until he started to get down.

Q That is what I asked you before, Mr. Hooley. My instructions are that when he was signalling from this signal mast ladder you did not see him and you asked the fireman, "Where is he"?

A I asked that, yes.

Q And the fireman said to you, "He is up the ladder of the signal mast where they usually go at this point."?

A He didn't say "usually go".

Q He didn't say that?

A No, I don't think so.

Q So far as you remember?

A As far as I remember.

Q He informed you he was on that ladder?

A Yes.

Q And then you looked out and by that time he was coming down?

A Yes.

Q And you can see no reason why he climbed the ladder in order to give the signal?

A Well, it surprised me when I saw him on the signal.

Q On the signal mast?

A The signal mast ladder, the signal mast.

Q It surprised you?

A Because I was not -- my line of vision was not focused on the signal mast and when I saw this move that is when it first came to my attention.

F.V.Hooley

Q But you think it can be done at that point on the other side?

A I am pretty sure it can, Mr. Lewis.

THE CHAIRMAN: Are you leaving that subject, Mr. Lewis?

MR. LEWIS: Yes sir.

THE CHAIRMAN: Then perhaps I can pursue a point.

BY THE CHAIRMAN:

Q Was this an A unit? The leading unit was an A unit?

A The leading unit was an A carbody type unit.

Q Where is the signal mast in relation to the two locomotives? How far away?

A The signal mast was 19 cars and the distance of two locomotives, 100 feet.

Q Behind?

A Behind, yes.

Q Was it on the engineer's side of the track or the fireman's?

A It was on the fireman's side of the track.

Q How high is the mast?

A That I could not tell you. I would estimate around 18 to 20 feet.

Q Well, if the head end trainman had stood on the ground at the foot of that mast, why couldn't the fireman have seen him by looking out the window? I assume there is a window on the side of the unit through which he could look back?

F.V.Hooley

A Yes.

Q Well, could he have seen him?

A I am not positive, sir.

Q Well, why do you say it was necessary for the trainman to climb the mast in order for the fireman to see him?

A I did not say that.

Q All right. You say it was not necessary?

A Well.....

Q Now just a minute. What I cannot understand is why the fireman could see him when he was up the mast but could not see him when he was on the ground. Can you explain that?

A No, I cannot. I was surprised when I saw him on the mast myself.

Q All right. Assuming that this trainman is up on the mast, where he in fact was, how do you say that the signal should have been given or could have been given without resort to the fireman?

A Well, if one of the men had gone up on the train --

Q Yes?

A -- instead of staying back at the switch --

Q And where would he have positioned himself so as to get the signal from the man on the tower to the engineer?

A He could have been -- oh, say, three cars behind the engines.

F.V.Hooley

Q On top of the car?

A Yes, on top of the car.

BY MR. LEWIS:

Q Perhaps this may help a little. You could not explain why the trainman was on the ladder of the signal mast to give the signals to the fireman but is it possible that he had to climb up the ladder of the signal mast in order to see the signals given to him from the rear by one of his mates? Would it be possible that he could not see them unless he was up on top of the ladder? Is that a possible explanation?

A No, I do not think so, Mr. Lewis.

Q He could see them around the curve -- the rear end people. He was relaying signals to the fireman given to him by the rear end man.

A There were two men.

Q Yes?

A Two men were making this pick-up. We backed into the back track at Keefers, pulled out over the west switch, 19 or 21 cars, say, and received a signal through the fireman from this brakeman who was on the signal mast to back up.

BY THE CHAIRMAN:

Q You said there were two men. Where was the other man?

F.V.Hooley

A They were both back in close proximity to the switch.

Q To this mast?

A Yes.

Q Both on the lefthand side?

A The rear trainman went out of my sight. I lost sight of both of them for -- oh, maybe a minute, and I asked the fireman where.....

Q You said that.

A Yes.

BY MR. LEWIS:

Q I have only one more very small question, Mr. Hooley, out of curiosity and perhaps to end my cross-examination with a compliment, I do not know. I notice that you started a series of trip on April 21, No.8 at 11.50 in the morning and you went straight on with a wait at Ruby Creek that same day and later that day you proceeded and then had a wait at Brookmere until you arrived in Penticton on April 22nd at six in the morning?

A Yes.

Q So that you appear in these three trips to have ridden the engine concerned consecutively -- with these breaks I mentioned -- for some 18 hours? It struck me a little when I saw that, Mr. Hooley.

A This is on the Thompson -- leaving Kamloops.

Q You left on April 21st. You left Brookmere at 11.50. By the way, I was also wondering how you got to Brookmere. That is not the beginning

F.V.Hooley

of any subdivision, is it?

A Yes.

Q Which subdivision?

A I went out to Brookmere on train No.68.

Q But which subdivision begins with Brookmere?

A The Coquihalla.

MR. SINCLAIR: What number is it?

BY MR. LEWIS:

Q Coquihalla, page 19 of Exhibit 25.

The Coquihalla subdivision starts at Brookmere and you got there on train No.8?

A Oh no, on train No.68 from Vancouver.

Q I am sorry. And then you started in Brookmere on April 21st at 11.50 a.m. and arrived at Ruby Creek at 3.40 p.m.?

A Yes.

Q And then you laid over in Ruby Creek for a little less than three hours and you started out at 1835 which would be 6.35?

A Yes.

Q And then you arrived back in Brookmere at 2245 -- that would be 10.45, right?

A Yes.

Q And then you laid over there until 2410.

That would be under two hours -- an hour and 25 minutes if my arithmetic is right -- and then you went on from Brookmere again down to Penticton where you arrived at six in the morning. That is continuous riding for about 18 hours?

A Yes.

Q Is that normal procedure for a road foreman to be riding continuously like this?

A My job has entailed an awful lot of riding.

Q Is it likely that you would become a little sleepy towards the latter part of those 18 hours?

A You could, yes.

Q And were you able as alertly to observe what happened on your trip between Brookmere and Penticton as you were on the other trips?

A Oh yes.

Q No difficulty at all about that?

A Well, I stood up and looked out the window, the forward window.

Q You drew in some fresh air to get yourself revived and so on?

A No, on this type of engine you have to open the door and it is kind of uncomfortable. However, I would stand up and look out the windshiled.

Q And your last trip was at night, too.

A Early morning.

Q Well, ten minutes after midnight until six o'clock in the morning. Most of that would be during the night?

A Yes.

Q It would be during the darkest part of the night?

A Yes, it was all night.

F.V.Hooley

MR.LEWIS: As I said, Mr.Chairman, I think I finished my cross-examination on a note of admiration for Mr. Hooley's riding.

THE CHAIRMAN: All right, we will break here then.

-- The Commission took recess.

--- After recess.

RE-EXAMINED BY MR. SINCLAIR:

Q Mr. Hooley, based on your experience, what would be the situation with regard to a fireman who had started off, as you say, exercising his seniority to work up from a spare fireman through freight and then passenger, which is the senior job -- that is the way the fellows exercise their seniority as they get older --

A Yes.

Q Into the passenger service?

A Into the passenger service, yes.

Q And then it comes to the situation where he is going to be running as an engineman, would it or wouldn't it be the situation which would happen and is happening in your experience that a man having been some years in passenger service and never been back to freight going right on and operating as an engineer after he has been qualified?

A Yes.

Q Now earlier, in answer to my friend, he said to you -- he had you, I think, in your mind, being in a card game in the bunkhouse and you were not going to take that; you said you went to bed when you got to Kamloops or Field. I think the words you used were that usually you were tired out. What would tire you out, Mr. Hooley?

A Going east from Revelstoke you work steam a great length of the time, and when you are not working steam you are handling the brake valve and if a man was on the job, when you got to Field I felt I would get my rest first and get up after I had my sleep.

THE CHAIRMAN: This is something we have not had before. What do you mean by "working steam"?

THE WITNESS: Using the power of the engine.

THE CHAIRMAN: You are speaking as engineer or fireman?

THE WITNESS: Engineer.

BY MR. SINCLAIR:

Q When you are working steam like that -- adjusting and handling a steam engine like that in this territory -- is that a tiring job, Mr. Hooley?

A You are continually on the alert, and it was for me.

Q Would you be using the reversing lever and turning it, and things of that nature?

A You would be changing the position of your control and also changing your reverser to change the cutoff of the engine.

Q Yes, and forcing the throttle on the steam engine -- is that much of a job?

A With the general run of the 5900's the throttle was fairly heavy. It was not a

boy's job to pull it.

Q Now, in diesels, taking the same trip, would there be much difference in the fatigue you would experience in handling the locomotive, or would there not?

A With the handling of a diesel locomotive and a steam engine over the mountains there is no comparison.

Q Why isn't there any comparison?

A Well, the throttles are easy to handle; your reverse is easy to handle and you always seem to have ample power to handle your tonnage.

Q In answer to my friend Mr. Lewis -- he was asking certain questions about patrolling, to do with firemen patrolling units -- has it been your experience or has it not that firemen patrol road switchers? Have you ever done it?

A Have I ever done it? No.

Q What has been the practice with respect to firemen doing it?

A The firemen seemed to pick the opportune time to go out and visually inspect the coaches in the different units.

Q We have heard evidence here about them opening doors on other locations. Has that been the practice in British Columbia?

A No.

Q On that line of questioning, I think the

phrase you used in answer to questions by my friend was that patrolling is done more often by the more conscientious and efficient, or efficient -- I forget which -- of the firemen. What did you have in mind when you said that?

A The make-up of all men is not the same. Some men feel within themselves that they have got to do something, and I would say the result of that is that to further the operation they will go back and check over everything. It seems to be for their own satisfaction, as far as I can see. Except in one instance -- two instances, one at Midway and one at Revelstoke, when the fireman said nothing to the engineer --

Q You are talking about your trips. I am talking about your experience generally in mountain territory in regard to patrolling.

A The patrolling is, as I say, done by some and not by others.

Q What I am trying to have you tell the Commission, Mr. Hooley, is this: I would like to know what you had in your mind -- what you meant -- when you said to my friend that more patrolling is done by the more conscientious or efficient type of fireman. What did you mean by that?

A Well, there are some good men and some poor men.

THE CHAIRMAN: You are really being asked what is the necessity for patrolling by firemen?

THE WITNESS: There is no necessity.

THE CHAIRMAN: Is that the question?

MR. SINCLAIR: That's fine, Mr.

Chairman. That is all.

MR. LEWIS: That is all.

MR. SINCLAIR: Thank you, Mr.

Hooley. My next witness is Mr. Norris Roy Crump.

NORRIS ROY CRUMP, Sworn, Examined

BY MR. SINCLAIR:

Q Mr. Crump, you are the President of the Canadian Pacific Railway Company?

A I am.

Q And as a matter of interest, I think you joined the service of the Canadian Pacific in the same month of the same year as the witness who has just stepped out of the box, namely in June, 1920?

A And at the same station.

Q And at the same station, Revelstoke?

A Yes.

Q He started out in the shop as a wiper, and you started out in the shop as a labourer?

A That is correct.

Q As I understand the situation, you worked there for a while and then in September, 1920, you started as a machinist apprentice at Field, British Columbia, and you also worked as a machinist apprentice at Revelstoke and Winnipeg; and in the years 1925 through 1929, during the winters, you secured leave of absence from your work as a machinist apprentice at first, and later, when you were a machinist, to go to Perdue University at Lafayette?

A That, essentially, is the case. The only point left out that might be of interest is that I finished my apprenticeship about 1927, I think it was, and thereafter worked as a machinist.

Q You worked as a machinist at Winnipeg with a short period off in 1928 to be an instrument man at Swift Current, Saskatchewan, until you were laid off on account of the depression; is that right?

A That is correct. I had a summer in the Construction Department on railway construction at Swift Current, and then in the spring of 1929 I returned to the shop at Winnipeg and worked as a machinist in Winnipeg shops, the Western Shops, until about October of 1929 when I was laid off as my services were no longer required.

Q During the years 1929, the latter part of that year, and 1930 you worked for the City of Winnipeg and the Winnipeg Hydro in whatever capacities they felt they could use you?

A I worked for the City of Winnipeg in the electrical department as draftsman, and I worked for the Winnipeg Hydro as mechanical designer.

BY THE CHAIRMAN:

Q In the meantime you had graduated from Purdue?

A In the spring of 1929.

Q With what degree?

• A Bachelor of science in mechanical engineering.

BY MR. SINCLAIR:

Q Then, Mr. Crump, during the years 1930 to 1936 you came back to the service of Canadian Pacific. From 1930 to 1936 you were roundhouse foreman at such places as Saskatoon, Saskatchewan; Lethbridge, Alberta; McLeod, Alberta; Calgary, Alberta; Wilkie, Saskatchewan; and Moose Jaw, Saskatchewan. In the latter part of that period when you were at Moose Jaw you continued your studies which resulted in your receiving in 1936 your professional degree in mechanical engineering from Purdue University; that was in 1936?

A That is correct.

BY THE CHAIRMAN:

Q The reason I asked that question was that I thought you had passed 1929; I have it here 1925 to 1929 at Purdue, but you got your degree in 1936?

A That is right. This is a degree which is not normally granted by our Canadian schools. It is called a professional degree and the requirement is that you must have five years professional responsibility after receiving your bachelor's degree and write a thesis acceptable to the faculty of the university and pass an oral examination.

They then grant this so-called professional degree and from that time in American practice you drop your B.Sc. and just use the M.E.

Q The professional degree, is that as a result of post-graduate work?

A That is right.

BY MR. SINCLAIR:

Q The second degree is the one where you use "M.E." meaning mechanical engineer, meaning that you have passed your professional degree?

A The bachelor's degree is a prerequisite to it. It is something like in medicine.

Q In the years up until this period in your railway service, Mr. Crump, you had overall jobs. Then from 1936 to 1939 you were Division Master Mechanic at Moose Jaw, Saskatchewan, and Regina, Saskatchewan, and sometimes that was an overall job and at other times it was not; is that correct?

A At Moose Jaw in 1936 was my first position as a division officer, as Division Master Mechanic. I was not there very long before I went to the Regina Division, but I think I spent a great period of my time in overalls on that job also.

Q Then in 1940 you were promoted to

Chief Draftsman for the Western Lines of Canadian Pacific with headquarters at Winnipeg?

A 1940?

Q Yes.

A Yes.

Q In 1941 and 1942 you were Assistant Superintendent of Motive Power for the Western Lines of Canadian Pacific; that is from the head of the lakes through to the Pacific coast?

A That is right; the Western Lines at that time.

Q Then in 1942 you were promoted to Assistant to the Vice-President, Operations, at Montreal?

A Correct.

Q In 1943 you were promoted to be General Superintendent of the Ontario District of the company at Toronto?

A Yes.

Q In October 1944 you were promoted to be Assistant General Manager, Eastern Lines of Canadian Pacific with headquarters at Toronto?

A Yes.

Q In January 1946 you were promoted to General Manager, Eastern Lines, at Toronto, and the following year to Vice-President and General Manager,

Eastern Lines, at Toronto?

A That is correct.

Q Later in that year to Vice-President of the Eastern Region of the Canadian Pacific Railway Company, which position you held until April 1948, when you were made Vice-President of all lines with headquarters at Montreal?

A That is correct.

Q In 1949 you were appointed a director of the Canadian Pacific Railway Company and later in that year you were elected Vice-President of the company and made a member of its Executive Committee?

A That is correct.

Q You were elected President in May 1955, a position which you still hold?

A That is correct.

Q I think there is another matter that might be mentioned. You have a similar background to that of the last witness, indeed the last two witnesses, indeed most of the witnesses who have appeared here for the company, in that you come from a railroad family?

A Yes, I am a second generation Canadian Pacific man.

Q The last two witnesses were third generation men.

A As a matter of fact, my immediate family

has about 130 years of service with the company.

Q As President do you ever get out on the road, in carrying out your duties on the railroad?

A Yes, very frequently.

Q In that work do you ride engines often as President?

A I have not ridden engines as frequently since becoming President as I did before, but I still ride engines occasionally when I get an opportunity. Generally it is on passenger trains as I have a need to conserve time in getting from one point to another, but occasionally I get on freight equipment as well.

Q In addition to your bachelor of science and your mechanical engineering professional degree from Purdue you have a Doctor of Laws degree from Queen's University, a Doctor of Engineering degree from Purdue, a Doctor of Science degree from Laval, Quebec, and a Doctor of Science degree from Clarkson College of Technology, Potsdam, New York?

A I am afraid I cannot take too much credit for those things; they are *not* academic.

BY MR. LEWIS:

Q No post-graduate work involved?

A No.

BY MR. SINCLAIR:

Q You are also an honorary member of the American Society of Mechanical Engineers?

A Correct.

Q And a member of the Engineering Institute of Canada?

A Yes.

Q And like one of the other witnesses, in case things get too bad you are also a member of the Professional Engineers of Quebec?

A In good standing.

Q Mr. Crump, in your work for the Canadian Pacific you have done a number of special studies, have you not?

A Yes, from time to time I have.

Q Such as special studies on the gas-electric car operation based on the gas-electrics that were operating at that time under your jurisdiction for maintenance?

A Yes. I think that was probably about 1937, as I recall. That was an economic study of the operation of gas-electric cars, largely on the Regina Division, but included some wider territory, to ascertain the economics of gas-electric operation vis-a-vis steam.

Q In 1940 to 1941 you made some special studies in the use of coal on the Canadian Pacific, on the south main line,

that is the line running from Vancouver to Medicine Hat by way of Ruby Creek and Penticton?

A Those were special coal studies made in connection with the Kettle Valley and Kootenay Divisions and part of the Lethbridge Division.

Q In 1943 you made a special study of signals in the United States, and in doing that you rode a substantial number of miles on locomotives on American railways?

A Yes. That was early in the war and we were faced with wartime traffic and we were contemplating the installation of signals in some very heavy traffic sections. There was some divergence of opinion as to the type of signals that should be applied and the Vice-President-- at that time I was his assistant -- suggested that I make a trip to the United States and study the signal installations there.

I did that. I studied or at least inspected every representative type of signal in use in the United States at that time in territories from New York to Raleigh, North Carolina, and as far west as Clinton, Iowa.

Q In 1950 when the demonstrator diesel

units were brought to the company and moved west you accompanied them to observe their operation and feasibility in the mountain territory?

A Well, having recommended that operation I was very much interested in it. When the General Motors Corporation sent the test units over I met the units at Windsor, Ontario, and as I recall I rode through to Toronto with them. Then I made a trip with General Motors officers from Detroit with those units between Calgary and Revelstoke.

The reason that trip stands out particularly in my mind I think is that we ran into temperatures of 50 below zero with never anything warmer than 20 below zero.

Q Any such temperatures as that in Alberta, Mr. Crump, or was that all in British Columbia?

A It so happened that the lowest temperature was in Alberta.

Q Now, Mr. Crump, when you were at Purdue I understand you collaborated in a thesis with another student there dealing with the use of pulverized coal in steam locomotive operation and diesel locomotives as it had been developed up to that time in European practice?

A Yes. That was a rather interesting study because it took place in 1927 and 1928. At that time the development of the diesel locomotive was decidedly in its infancy. While I was not writing the thesis, this young fellow from Istanbul, Turkey, a Turk by the way, a graduate student, was doing some work on locomotive development in Germany, particularly in Germany and Russia, where so much development work had been done up to that date. Since the work was new and as most of the articles dealing with the development at that time were in German technical periodicals, I worked with him.

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While I was studying German at that time, I could not read it fluently, so he supplied the translation and I supplied perhaps some of the practical aspects of railroading in the collaboration on that paper, which is 30 years ago now.

Q Then for your professional degree from Purdue which you received in 1936 you mentioned that you had to do a thesis and pass an oral and your thesis was on internal combustion engines in the railway field?

A Yes, the particular title of that thesis, "Internal Combustion Engines in the Railway Field", was chosen because on some railways considerable work had been done in gas-electric operation even in high speed service, and they were just beginning to change over to diesel so that I had to cover to some extent gas engines as prime movers as well as diesel engines, but the majority of the thesis was devoted to the development of the diesel engine in the railway field.

Q And its application in operation?

A That is right.

Q Now, Mr. Crump, as part of your work in the railway field you have been in Britain and France, have you not, and observed railway conditions and had discussions there also?

A Well, some of the riding I have done since

I became president was in Britain and France. I don't think I have ridden any locomotives in the United States since May, 1955, as I recall, but I have ridden a steam locomotive in Britain, I think probably a distance of 60, 75 miles, between London and York. Some distance out of London I went up through the passageway in the tender to the locomotive foot plate, as they call it in England, and rode over as far as York.

In France I made a trip with French state railway officers from Paris to Dijon on the Mistral and turned around there and came back on one of their fast trains from Lyon, and I rode the locomotive from Dijon, I think, to Laroche, I think it was. At any rate, it would be about the equivalent of one of our Canadian Pacific subdivisions. That was an electric locomotive.

Q Have you discussed railway matters with the heads of the French railways and the British railways?

A Yes. I had the opportunity and privilege of discussing railway matters in London with Sir Bryan Robertson, chairman of the British Transport Commission and, incidentally, I spent some time with the planning committee. Britain has a railway plan that is of some magnitude.

I also had the opportunity of

discussing railway matters with Monsieur Armand who corresponds to -- it is not quite the title -- chairman and chief executive officer of the French state railways. As a matter of fact, since I speak very little French and Monsieur Armand spoke very little English I suggested that we should have an interpreter and he said, "When we speak of railway matters we do not need an interpreter."

Q This Commission, Mr. Crump, might disagree with that statement. Now, in the dieselization of the Canadian Pacific were you responsible for the recommendations at any period in this evolution of transition from steam to diesel on the Canadian Pacific in regard to making recommendations to Canadian Pacific management?

A Well, in the beginning, the first diesel we had I had no active part in its acquisition but in 1943 -- I had gone to Montreal in 1942 and we acquired our first five diesel yard switchers in 1943. I participated in the discussions at that time, recommended them most strongly, and I had gone back to Montreal as vice-president in 1948 and our first road locomotives, diesel road locomotives, were received in 1949 and I did have the direct responsibility in that case of recommending

the road operation.

Q Is it not a fact also, Mr. Crump, that you announced the decision in that year of the fact that it seemed to you and it was your view and what you would recommend that the company would not buy any further steam motive power? Is that right?

A Yes. That was in the spring of 1949 when we received our last Santa Fe type locomotives. That is the T-1, the 5900 class. We received five locomotives that spring and I made an announcement at that time on accepting delivery that these were probably the last locomotives the C.P.R. would ever build. Up to date that has been correct.

It might be interesting to the Commission to know that I received a note yesterday enclosing a clipping which indicated that Sir Bryan Robertson had just made a similar announcement in Britain last week, that they have 151 steam engines on order for this year and he does not expect any further steam locomotives will be built for the British state railways, that they will go to what they call, in the broad sense of the term, fireless locomotives, electric and diesel.

Q Mr. Crump, there has been dieselization in the United States for some time. The dieselization program of the Canadian Pacific has

not proceeded as rapidly as it has on some of these other roads concerning which the Commission has heard testimony. For instance, as you said, you got your first yard diesels in 1943 and did not move into road diesels until 1949. Are there any facts in regard to this move in which the Commission would be interested and the degree of development that you have at present in road operation?

A Well, we did enter the diesel field somewhat later than the American railways. There was some doubt in the ranks of our senior officers as to whether the diesel program was the economic thing to do at that time, but having entered that, having once decided to commence dieselization our dieselization has proceeded at a reasonably rapid rate.

It is perhaps interesting to note that we are now doing about 60 per cent of our work in freight service with diesels, about 76 per cent, about there, in passenger service, and about 66 per cent or 67 per cent in yard service.

Q Has there been any change since you first introduced diesels in road service as to the method of application? When you first started to dieselize on the road was there any particular way you were going forward with dieselization?

A Yes, we had given this plan a great deal of consideration. We had at that time a chief of motive power who was a well known Canadian engineer, and I think perhaps he and I developed the initial plan together, that we would dieselize by territories rather than by runs, and that is the plan that was followed for quite a number of years.

Q This Commission has been told by other witnesses that the plan is to completely dieselize the Canadian Pacific by 1961. Is that correct?

A If we have the resources, that is our planning.

Q Mr. Crump, what are the crew assignments today on locomotives, whether steam or diesel, in road service?

A Well, in road service on passenger engines there is an engineman and a fireman. In freight service, again whether steam or diesel, there is an engineman, a fireman and a head end trainman, and in yard service, again whether steam or diesel of over 90,000 pounds, there is an engineman and a fireman.

Q Has there been any change in that pattern over the years?

A Well, that has been the practice since the inception of the railway. Mr. Emerson in his evidence that I have listened to pointed out that there might be some variations as to where

the head end trainman rode because in the very early days he principally rode on the top of the box cars, but generally from the inception of our railway that has been the crew pattern. At the time that coal burners were introduced and wood burners were retired the position of wood passer which prevailed on many wood burners was dispensed with.

No other change took place for a great many years until the self-propelled motor car or rail car was introduced, and at that time the practice was commenced of having an engineman only in the cab of the rail car.

Q When the diesel first came on the Canadian Pacific was there any change then in the practice as to crew assignment?

A Yes, in 1937 we acquired our first diesel yard switcher and while that particular unit gave considerable mechanical trouble it did function quite successfully from the first with only an engineman in charge.

Q In dealing with your studies of gas-electric self-propelled motor cars and also dealing with your studies of diesels in your professional degree work and earlier at Purdue, did you consider crew assignments in dealing with those matters?

A Yes, in studying the economics of diesel operation, as I had to do in that 1935-36

thesis, one obviously of the elements of expense was crew expense, and I noted in that thesis some 21 years ago that with the development of the diesel locomotive, the diesel electric locomotive particularly, there would appear to be no need of the services of a fireman. However, I went on to add that, being aware of the difficulties that had transpired in the United States about the same time, the firemen's union would no doubt protest any such elimination of duties and that no doubt ^{the} in/future labour contracts would be a paramount issue in this problem.

Q Well now, when you got the diesels in 1943 on the Canadian Pacific -- those were the modern diesels, the five you say you were very much in favour of securing as assistant to the vice-president -- what crew assignment did you have on those?

A It was the intention to operate them with only the engineman in the cab of the yard switchers and we had had intermittent negotiations with the firemen's organization from 1937 on, and again in 1938 and in the early 1940's. At that time we actually only had one diesel switcher in yard service and it was operating without a fireman.

In 1943, when we received the first of the modern diesels, an order of five, we again entered into a series of negotiations with the firemen, we maintaining that the services of the firemen were not required and of course the union maintaining that they were.

The situation as I recall it finally ended in 1943 -- I might say that the Canadian National was also involved in these negotiations in 1943. However, we advised the Brotherhood that so far as -- I think it was four or five -- of the assignments in Montreal, and I might add that all of these assignments were in Montreal,

-- we advised the Brotherhood to the effect that we would man them with a fireman and that there was one shift working in Montreal on which we definitely felt a fireman was not required and we did not propose to put one on.

That dealt with the existing six locomotives in 1943 and as far as my records indicate that one yard shift in Montreal terminals operated for a number of years with only the engineman in the cab.

Q Now, what was the next step in the matter of crew assignments?

THE CHAIRMAN: I think this is the point where we will adjourn.

-- The Commission adjourned at 4.05 p.m. until 10.00 a.m. Friday, May 10, 1957.

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ROYAL COMMISSION ON EMPLOYMENT OF FIREMEN
ON DIESEL LOCOMOTIVES IN FREIGHT AND YARD
SERVICE ON THE CANADIAN PACIFIC RAILWAY

35

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Mr. Fraser

I N D E X

Witnesses

CRUMP, N.R.
Exam. by Mr. Sinclair 4851

Exhibits

No. 146- Proposal for protection of
firemen now employed 4881

ROYAL COMMISSION ON EMPLOYMENT OF
FIREMEN ON DIESEL LOCOMOTIVES IN
FREIGHT AND YARD SERVICE ON THE
CANADIAN PACIFIC RAILWAY

Proceedings of public
hearing held at Ottawa,
Ontario, Friday, May 10,
1957

PRESENT:

Hon. R. L. Kellock,	Chairman
Hon. C. C. McLaurin,	Member
Hon. Jean Martineau,	Member
Douglas M. Fraser,	Secretary
A. R. Winship,	Asst. Secretary

APPEARANCES:

D. W. Mundell, Q.C., C. J. A. Hughes, Q.C.,	Representing the Commission
I. D. Sinclair, Allan Findlay,	Representing the Canadian Pacific Railway Company
David Lewis,	Representing the Brotherhood of Locomotive Firemen and Enginemen

Friday,
May 10, 1957.

35th DAY

MORNING SESSION

----The Commission opened at 10.00 a.m.

N. R. CRUMP, recalled.

EXAMINED BY MR. SINCLAIR:

Q Just at adjournment last evening, Mr. Crump, we were dealing with the situation on the Canadian Pacific in regard to crew assignments when the company acquired in 1943 its first modern diesels, which were five yard switchers. You had mentioned that you had had certain negotiations with the union, I think jointly with Canadian National, but before I move on to the next step would you please tell the Commission what occurred at that time?

A Yes. Concurrently with the acquisition by the Canadian Pacific in 1943 of its new diesel units, the union applied pressure to have firemen assigned to all units. Late in 1943, jointly with the Canadian National, the Canadian Pacific arrived at an understanding with the union and firemen have been applied to all diesel motive power units since that date, with one exception.

Q What was the reason, Mr. Crump, that you reached that understanding as to crew assignment?

A Well, as I recall -- I was not part of the negotiations, personally, but I was connected with them -- it was after extensive

negotiations with the union who insisted that we apply firemen to these diesel locomotives.

Q Were there any particular situations existing at that time in 1943 that affected your judgment or consideration?

A No, not that I know of. As far as I can recall it was purely a matter of union pressure.

BY THE CHAIRMAN:

Q I suppose until the diesel came along -- I do not know that this really is important -- I suppose that up to that time there was no obligation on the part of the company to employ firemen in steam, it was just something that was necessary, and it was let go at that by both parties?

A That is correct, Mr. Chairman. While that problem did not really arise with our company until 1943 it had been the subject of a good deal of negotiation in the United States prior to that time and --

Q You mean with respect to diesels?

A With respect to diesels.

Q I am referring to the steam days.

A Oh, no, there was no question there at all.

Q There was no obligation or no term in the agreement that you must employ a fireman because it was something that

took care of itself?

A That is right.

BY MR. SINCLAIR:

Q What was the next step in the matter of crew assignments on diesels in relation to firemen after the 1943 understanding, Mr. Crump?

A In 1947 the firemen's union requested that the assignment of firemen to diesel locomotives be made a part of their collective agreement. Up to that time it had not been. We had extensive negotiations and late in 1948 an agreement was reached with the firemen's union and the diesel rule, essentially as we have it today in our collective agreement, was agreed upon and became effective the first of 1949.

Q When the Canadian Pacific Company acceded to this request of the firemen's union in regard to the incorporation in the collective agreement of the diesel rule, what were the factors that conditioned the company's situation, Mr. Crump, in that matter?

A Well, we were aware that negotiations had taken place in the United States and the action that the firemen's union had taken in the United States up to that time, and in view of the attitude of the firemen's union on the Canadian Pacific we knew they

were prepared to force the issue and we acceded to their request in the process of the negotiations.

Of course I think it must perhaps be remembered that at that time we had only about 70 yard switchers and had no units in road service.

Q I think the evidence has been and I think you have stated it that in subsequent years, commencing in 1949, road diesels did come to the Canadian Pacific?

A Yes. It was subsequent to that date that we commenced the dieselization of our road operations. As a matter of fact it was really subsequent to that date that we proved to our satisfaction that road diesels could be operated satisfactorily under our Canadian operating conditions.

Q Mr. Emerson I think yesterday described this matter of crew assignment on diesel locomotives, and I think the phrase he used was that it was not an operational problem but rather a matter of labour agreement, a problem in connection with labour agreement. Would you or would you not agree that that was so, or what comment have you to make on that approach to the situation?

A Well, it has become increasingly obvious

to me over the years that the assignment of firemen to diesels in road freight and yard service was the result of labour practices rather than from any operational problem on the road.

Q The next step after 1947, and finally in 1948 when you have said the agreement was made to include the diesel rule to be effective from January 1, 1949; what was the next step? When did the matter next come up, the matter of assignment of crew on diesel locomotives?

A It next arose actively in 1954 in connection with the negotiation of the 1954 agreement. At that time the Canadian Pacific advanced the proposal to the firemen's union that firemen should be withdrawn from road freight and yard service on diesel locomotives.

Q What happened?

A Well, again as a result of union pressure, in the negotiations the company withdrew that proposal. Frankly the company was not prepared to press the matter to final determination at that time.

Q Then the next step was when in this matter?

A The next subsequent step was in 1956. In the negotiations for the 1956 agreement the company proposed again, as they had in 1954, that firemen be withdrawn from road

freight and yard diesels. Again the union protested this and ensuing events I think are well known to everyone, resulting in the strike in January of 1957 and the appointment of the Commission.

Q Now, Mr. Crump, you have had substantial experience in motive power and have had on a first-line basis the responsibility of maintaining it and supervising its maintenance at various levels until you reached the executive position you now hold. In the light of that I wish you would give the Commission your opinion as to what effect age would have on the operating reliability of diesel motive power?

A In my opinion, providing the protective maintenance is carried out such as we have set up of trip and mileage inspections; if that is carried out I do not see that the age of the unit has anything to do with the reliability of its operation.

Q Would you tell the Commission what is the oldest steam engine the Canadian Pacific has in operation at the present time, and when was it first acquired?

A Well, I have not checked that exactly, but I do know that we have three engines in our inventory, the A-1 class, which

were built I think about 1883 and 1887, about seventy years ago.

BY THE CHAIRMAN:

Q Have they gone through the same process we have heard about here in connection with diesels, that is that parts have been replaced by new parts?

A Yes, Mr. Chairman. There were special reasons of course why those three engines were retained in the inventory, but I would judge that there is perhaps nothing but the number of the engine left of the original engine, that in the course of time the boiler would be renewed, at another time perhaps the cylinders were renewed, the frame was renewed, and perhaps the number is the only part of the original engine left.

Q Apparently you cannot do that with a motor car?

A No, that is an entirely different matter, I am sorry to say. We could do that with a motor car if we wanted to pay a high enough price in the first instance; it could be done the same as it is done with diesels, but our practice has not developed along that line.

BY HON. MR. McLAURIN:

Q They are doing it with aeroplanes?

A Oh, yes.

Q I think the DC-3 is a remarkable example. It has helped to build up the air transport business and now private concerns are offering premium prices for DC-3's which are 23 years of age.

A We are still operating 13 DC-3's, I might say.

Q That is Canadian Pacific Air Lines?

A That is right, in the north.

Q I had forgotten you are an air expert as well.

BY MR. SINCLAIR:

Q Mr. Crump, the Commission has been told that passenger traffic is a problem with the Canadian Pacific. The Commission has been told that steps have been taken to meet it with the introduction of self-propelled cars and matters of that kind. I wonder if you would give the Commission your considered judgment as to whether the Canadian Pacific is going to evolve its passenger business so that there will be no locomotive hauled passenger trains?

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A No, that is not contemplated in our planning. We lose a great deal of money each year on our passenger operations and it was in an endeavour to try and offset some of this loss that we have replaced steam trains with R.D.C. cars, being more economic in operation. Another very potent factor in R.D.C. operation is that we have been able to bring back to the railway some of the traffic we had lost to the highway. The clean, fast, comfortable service, air conditioned, that is supplied by the R.D.C. car seems to have a particular appeal to the public, particularly with the very crowded conditions of the highways today, and we have proven that in several locations.

The best example, I think, is between Toronto and Detroit, but in the planning for the future it is just not possible to envisage an all R.D.C. passenger operation. The requirements of the public in this country, due to the very make-up of the country, are such that we will have to continue passenger trains, as we understand them now, drawn by diesel motive power units.

I think you have got to realize that we have a very special transportation problem in this country because we have a narrow band of settlement, with our 16½ million people, only about 200 miles wide and

4,000 miles long, and it is this geographic condition that has such a large influence on so much of our thinking in transportation, and I think in the heavy traffic sections and in the transcontinental business that in the foreseeable future we will have passenger trains drawn by motive power units. As a matter of fact, it is only a very short time ago that we made a very large investment in passenger train equipment that must necessarily be drawn by some form of motive power.

Q Mr. Crump, in your various positions with the Canadian Pacific you were directly responsible for the manning of locomotives and the hiring of people to man them and, as you have said in your qualifications, you have ridden a substantial number of miles on locomotives. Would you tell the Commission whether you have considered the problem, if there is one, of training enginemen for diesel freight power when firemen are removed from freight road and yard diesels?

A Yes, I have given that some consideration, as naturally I would have to when the company advanced a proposal of this kind. I have had some 37 years of experience now in being trained or in training men and with the pool we will have in passenger service

and the new techniques that are available to us in the training of men I can see no great problem in training sufficient men to handle our road and switching power, and I say this in the light of the experience I have had on locomotives and on the road.

Q. Yesterday, Mr. Crump, we heard an explanation to the Commission by someone who, to say the least, was unqualified, not having passed any examinations in the matter, with regard to retainers and brakes and things of that kind. So that the record will not be too confused, if the Commission wishes and seeing that we have you here, Mr. Crump in simple lawyers' language could you explain brakes?

MR. LEWIS: I have never heard a more self-evident contradiction than "simple lawyers' language".

THE WITNESS: I would be glad to try and do so. You have to bear in mind that I am casting my mind back quite a number of years because I have not had much to do with air brakes for a long while. But I have had experience with them in past years in the mountains and, moreover, my father was a brakeman and conductor in the mountains in the days of hand brakes and I have pumped him at great length as to how the operation was done because it is part of our history that is

rapidly disappearing.

However, I do not think we need to get into the age of hand brakes except that our present practice in the mountains is a logical development from that period.

May I say first that in making an ordinary brake application on, we will say a freight train, whether it be on the prairie, in the east or in the mountains, it is done in a manner somewhat just the reverse of a motor car. In a motor car when you make a brake application you do so by applying pressure of the pedal through now a power operated mechanism to the brake discs.

The only way that can be handled in a freight train, which is composed of a locomotive and many cars, is to supply air to each of the individual cars which is going to be used to apply the brakes and that air is supplied to the train from the locomotive by means of what is called the brake pipe or train line, generally at 70 pounds pressure.

When an application is made by the engineer, either an ordinary service application or emergency, he simply makes a reduction of that brake pipe pressure. The 70 pounds may be reduced to 60 pounds or, in extreme cases, perhaps to 50 pounds, and you perhaps heard the expression used here of a brake pipe reduction of 10 pounds or 20

pounds.

As soon as there is a reduction in the brake pipe pressure, through a rather complicated valve known as the triple valve air is allowed to pass from a reservoir on each car into the brake cylinder in predetermined quantities, and it is this air passing from the storage reservoir on the car into the brake cylinder that applies the brakes.

BY THE CHAIRMAN:

Q That applies pressure to the brakes?

A Yes, that supplies the actual air pressure in the brake cylinder. Then through a system of levers the actual pressure is applied to the rim of the wheel from the brake shoe.

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A question that naturally arises, I think, is why do we work in reverse so that a reduction of the brake pipe pressure is utilized to apply the brakes. That is in the event of anything happening to an air hose or, as I think Mr. Hooley described yesterday, one of the causes in his mind of a break in two, and there is a sudden reduction of pressure throughout the brake pipe on the train and all brakes go into emergency.

Essentially that is the principle of operation, but in mountain service when you are going down a long and steep gradient you

may have to make several brake applications to retain the train speed to the proper level. In releasing the brakes it is done by what is known as recharging the train line. As soon as the engineer places his brake valve in a running position or some position comparable to that, the brake pipe pressure is rebuilt up to 70 pounds and as the pressure rebuilds, through the action of this triple valve the brakes are released. It would mean that going down say Field hill, which is 13 or 14 miles long and before the days of dynamic braking, they would have to make several heavy brake applications.

On a gradient of that kind he did not have time to recharge his train line between brake applications without the train picking up too much speed because the brakes came off as soon as he started to recharge his train line. So in the early days that speed was retained by means of hand brakes. But the retainer valve, as has been mentioned in these proceedings, was merely a valve placed in the air brake system that would prevent a complete release of the train brakes while the train line was being recharged. By placing the valve in one of its various positions the brake cylinder pressure, the pressure on the brakes, did not fall below 10 or 20 pounds in the brake

cylinder.

Q That is something that has to be done on each car?

A On each car. This retaining valve is at the end of each car.

BY HON. MR. McLAURIN:

Q Near the top?

A Yes, and the sole object of it was to keep the brakes on the train while the train line was being recharged so that another heavy application could be made. As simply as I can, I think that is the situation.

BY MR. SINCLAIR:

Q In dealing with a train on which retainers are being used, Mr. Crump, does it require any special action by the engineman at all or does it not?

A No, that is the action by the train crew. They set up and release retainers.

Q You mean the brakeman and conductor?

A That is right, the conductor and the two trainmen.

BY THE CHAIRMAN:

Q The setting and releasing of the valve on each car has to be done when the train is stopped, I suppose?

A Well, it can be done while the train is in movement. As a matter of fact, releasing is sometimes done when the train is in movement by passing over the tops of the cars

and simply moving the handle upward.

BY HON. MR. McLAURIN:

- Q You have a freight train going from Lake Louise down the hill to Field at the great divide. It is all downhill?
- A Yes. The retainers are set at Stephen, as I recall, at the top of the hill.
- Q Would you run a 70 or 100 car freight train down there on the way to the coast?
- A Yes, we have done that. I don't know what they are handling there now at the moment. We have handled as much as 4,000 tons down the hill there.
- Q The train crew have to set all these retainers before you start down the hill?
- A That is right.
- Q Then do they have to release them when they get to the bottom?
- A At the bottom of the hill. Of course, that now applies -- there was some discussion yesterday about only where it is in excess of "A" rating with dynamic brakes because dynamic braking on the engine has obviated the use of retainers to a considerable degree. Dynamic braking to my mind has been one of the spectacular developments in diesel operation.

BY THE CHAIRMAN:

Q That is done entirely by the engineman?

A Yes, by use of the dynamic brake. It is somewhat like the practice that has prevailed on electric locomotives for many years where going down hill the traction motors become generators, since it is the wheels that are turning the armatures and the traction motors and by properly setting the circuits that electricity that is generated by the energy of the train going down hill in electric operations can be fed back into the trolley line overhead and used by a train coming up the hill on the other side, let us say. Or, in the case of our diesel locomotives it is taken to the roof of the cab and the heat that is developed by that energy is dispelled into the air from grids. We have no other use for it and cannot utilize it in any way and have to get rid of it so it is dispelled to the atmosphere in the form of heat. The dynamic braking has meant a great deal.

I can recall when I was at Field in 1920 seeing passenger trains come down the hill, for instance. You will pardon me if I refer to the hill so frequently but that happens to be a matter of some historical significance in the Canadian Pacific. I have seen passenger trains

The first part of the report was devoted to a general survey of the situation in the country. It was found that the country was in a state of general depression, and that the people were suffering from want and distress. The cause of this was attributed to the war, and the fact that the country had been cut off from the rest of the world.

The second part of the report dealt with the question of the army. It was found that the army was in a state of disorganization, and that the soldiers were suffering from lack of food and clothing. The cause of this was attributed to the fact that the army had been cut off from the rest of the world, and that it was unable to obtain supplies from abroad.

The third part of the report dealt with the question of the navy. It was found that the navy was in a state of disorganization, and that the sailors were suffering from lack of food and clothing. The cause of this was attributed to the fact that the navy had been cut off from the rest of the world, and that it was unable to obtain supplies from abroad.

The fourth part of the report dealt with the question of the air force. It was found that the air force was in a state of disorganization, and that the pilots were suffering from lack of food and clothing. The cause of this was attributed to the fact that the air force had been cut off from the rest of the world, and that it was unable to obtain supplies from abroad.

The fifth part of the report dealt with the question of the police. It was found that the police were in a state of disorganization, and that they were suffering from lack of food and clothing. The cause of this was attributed to the fact that the police had been cut off from the rest of the world, and that they were unable to obtain supplies from abroad.

The sixth part of the report dealt with the question of the judiciary. It was found that the judiciary was in a state of disorganization, and that the judges were suffering from lack of food and clothing. The cause of this was attributed to the fact that the judiciary had been cut off from the rest of the world, and that they were unable to obtain supplies from abroad.

The seventh part of the report dealt with the question of the education system. It was found that the education system was in a state of disorganization, and that the teachers were suffering from lack of food and clothing. The cause of this was attributed to the fact that the education system had been cut off from the rest of the world, and that they were unable to obtain supplies from abroad.

The eighth part of the report dealt with the question of the health system. It was found that the health system was in a state of disorganization, and that the doctors were suffering from lack of food and clothing. The cause of this was attributed to the fact that the health system had been cut off from the rest of the world, and that they were unable to obtain supplies from abroad.

The ninth part of the report dealt with the question of the economy. It was found that the economy was in a state of disorganization, and that the people were suffering from lack of food and clothing. The cause of this was attributed to the fact that the economy had been cut off from the rest of the world, and that they were unable to obtain supplies from abroad.

The tenth part of the report dealt with the question of the social system. It was found that the social system was in a state of disorganization, and that the people were suffering from lack of food and clothing. The cause of this was attributed to the fact that the social system had been cut off from the rest of the world, and that they were unable to obtain supplies from abroad.

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come down the hill and they have had the retainers down. We were using ^{steel}/tire passenger wheels at that time and by the time the train got down to Field with a heavy application there was just a curl of blue smoke coming off every wheel and in some instances the tires or wheels because of being hot, the train would have to stand there until the tires cooled. Well, with dynamic braking -- I have personally felt the wheels on both diesels and passenger trains and found them to be cool and I think that has been one of the unpublished but very spectacular parts of diesel development that has aided our operation.

BY HON. MR. McLAURIN:

Q Is the dynamic brake a part of the air brake system?

A No, it is not a part of the airbrake system, it operates entirely separately from the air brake system but an air brake application can be made while the dynamic brake is on and in fact under some circumstances perhaps it is a combination of dynamic braking and air braking. They are quite separate.

Q Is the dynamic brake just part of the diesel equipment itself?

A Yes, that is all.

Q Well, I think we have been told that.

A Yes, that is right, sir.

Q Do they put retainers now on let us say the

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Canadian, going downhill?

A No, I do not think they do. With the diesel units that we have on the head end of that train, the combination of dynamic and air brake is quite sufficient. As a matter of fact it might be interesting to point out that in the early days at Field hill before they had retainers on passenger cars they developed the practice of just screwing a brass plug into the exhaust of the triple plug so that the pressure could not exhaust and so held on, but that is a great many years ago.

BY MR. SINCLAIR:

Q Mr. Crump, in the light of your experience and in view of your responsibilities, in your opinion are firemen required on yard and road freight diesels?

A Well, it is firmly my opinion, in the light of my experience, that the firemen on yard and road freight diesels can contribute nothing to the safe operation or to the efficiency of the operation.

Q What effect, in your opinion, based on your experience, would the removal of firemen have on the balance of the engine and train crew in freight and yard service?

A Well, the removal of the firemen from freight and yard diesels, I think, might well result in the remainder of the crew becoming more alert

and perhaps it even might result in an improved safety showing.

Q In arriving at your conclusions because of your experience in steam operations was that or was that not a factor to which you gave some weight?

A Oh yes, that is a natural result of my environment and thinking through the years. I have a great many thousand of miles on steam locomotives. A great many of those miles were travelled on steam locomotives in passenger service both hand-fired and stoker-equipped and from my experience, particularly on hand-fired locomotives, where the fireman spent a great deal of his time on the deck, I do not think that his removal would be prejudicial to safety in any way.

Q And with regard to yard service, was there any special factor that you took into account in reaching your conclusion?

A Yes, I have discussed this matter with a great many of my officers and from my own observations which are not as a yard expert, but nevertheless I feel that provided the ground crew -- the ground yard crew -- position themselves correctly that they can transmit their signals directly to the engineer.

Q In your opinion, Mr. Crump, has the coming of the diesel and its effect on the work load--

if I may use that phrase -- of the firemen had any effect on firemen?

A Oh, I think so. The automatic features of the diesel locomotive have certainly, in my opinion, rendered the fireman's job unnecessary as he has no active work to do and I am sure that many of our firemen realize this just as well as I, as they are the subjects of this automation, and I think they themselves must feel that ... well, perhaps putting it plainly, that they are not earning even a fraction of their pay.

Q And why are they there, in view of that?

A There is only one reason why firemen are retained on road diesel and freight locomotives on the Canadian Pacific at the present time and that is purely as a result of union pressure and for no other factor.

Q Now, Mr. Crump, I wish to turn to another aspect of the matter and this has to do with the situation of the company in carrying out its obligations to provide efficient transportation to Canada. Mr. Gossage earlier in these proceedings, Mr. Crump, put a fair amount of evidence before the Commission as to the-- situation of the company in the financial realm and I do not think it is necessary to trouble you with that because it would be merely a repetition, but what was the situation in 1956 as it has just closed and as you have reported it?

A Well, that is very fresh in my mind as I just made a report to my shareholders. The year 1956 in Canada, of course, was a year of unprecedented prosperity. That is amply demonstrated, I think, by the gross national product standing at \$29.5 billions and at the same time the gross earnings of the Canadian Pacific were at an all-time high and yet despite this fact the rate of return on the net investment of our company was only 3.15 per cent.

BY HON. MR. McLAURIN:

Q Are you isolating railway operations?

A Yes, this is the railway operations.

BY MR. SINCLAIR:

Q What about 1957?

A Well, there are many forecasts about 1957. Our forecasters sometimes do not like to go beyond the third quarter but from everything that I can gather I should judge that 1957 is going to be equally as good a year if not somewhat better than 1956 both for Canada and for the Canadian Pacific. I am estimating in my own work that the net earnings from rail operations of the Canadian Pacific in 1957 will probably be about the same as in 1956 with the possibility of some slight improvement. However, I might add to that that the return of 3.15 per cent is an amazingly low per cent on a property investment the size

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we have and as a matter of fact with the state of the money market today it does not begin to equal the rate of return on government-guaranteed bonds.

Q These results you have been speaking about are after capital expenditures on diesels of a substantial amount, are they?

A Yes, even the return of 3.15 per cent was only achieved after tremendous capital expenditures on our rail property and in the realm of diesels alone -- diesels and diesel facilities -- amounted at the end of 1956 to some \$136 million.

Q This financial return you have been speaking of on rail operations, what is the result of that, Mr. Crump, from the position of the Canadian Pacific and its work?

A I think that one result and one that greatly concerns me is that with a rate of return as low as that we have great difficulty in going into the money market in competition with other companies that have a much higher return in order to raise the capital money required for modernization and expansion of Canadian Pacific services. We have an obligation -- and I quote --

"To perpetually and efficiently operate the railway."

Q You are quoting from --

A From the Charter of the railway. That can only be done if we are able to obtain sufficient capital funds to not only replace our present facilities which, I might say, we are replacing at a very much higher cost than the original, but also to modernize our equipment, modernize our facilities, such as modern freight yards, signal installations, additional freight equipment, better freight equipment or a greater variety of freight equipment, additional diesel locomotives; all of these things could only be accomplished if we are able to raise sufficient funds.

I find that this is perhaps the most pressing problem with which the Canadian Pacific is faced. As a matter of fact, as a result of our planning I have estimated that the Canadian Pacific will have to spend over a considerable period of years at least \$100 million of capital money each year if we are going to retain our position in this highly competitive transportation field. If the Canadian Pacific does not stay in the forefront in this competitive race, then it is bound to have a serious effect, not only on the company and our ability to supply efficient service to users of transportation, but also on the employees of the company, the present employees of the company.

Q Now, Mr. Crump, in 1956, out of each revenue dollar, how much of it went to meet expenses?

A In 1956, out of every revenue dollar we had to expend 91.8 cents for our expenses. This leaves about 8.2 cents only to service the very heavy capital structure that is involved in the railway.

BY THE CHAIRMAN:

Q This 91-odd figure, does it include taxes of all kinds?

A Yes, sir.

MR. LEWIS: Includes what?

THE WITNESS: Taxes.

MR. SINCLAIR: In the accounting set-up in the Railway Act, Mr. Chairman, taxes are included in expenses by definition.

BY THE CHAIRMAN:

Q Depreciation and obsolescence are not expenses, are they?

A Depreciation is, but we have, unfortunately, no method of calculating in our accounts obsolescence.

Q Which is still an actual expense?

A It is a very marked one, and that particularly shows up in the air line business. There is a saying in the air line business that there are only two types of aeroplanes, experimental and obsolescent.

MR. SINCLAIR: The DC-3 and the Ford tri-motor seem to say that saw is wrong.

THE WITNESS: Well, I will grant you that, but at the same time it is a fairly accurate estimate of our present air line operations.

MR. LEWIS: Anyway, one does not apply logic to a bon mot, Mr. Sinclair.

BY MR. SINCLAIR:

Q This margin between expenses and revenue, of which you have just spoken, what has been your experience and the experience of the company in attempting to widen that margin?

A Well, the majority of our efforts, particularly in the past ten years, have been directed towards trying to widen the margin. One natural course of action would be to increase the selling price of our product, in other words, freight rates. But, as you know our freight rate structure is regulated by the Board of Transport Commissioners. However, quite aside from that, we have found that there has been a very rapidly decreasing segment of the nation's transportation business to which increases in rates can be applied.

The situation is that, how far can rates be increased without driving that portion of the traffic to other forms of transportation? Unfortunately, we are reaching a stage in the development of the freight rate structure that is causing a

great deal of difficulty from that aspect.

Q Is the railway facing in the immediate future any more intensified form of competition?

A Oh, very much so. The transportation industry in this country, so far as the railway is concerned, is changing from a monopoly position, many, many years ago, to one which is intensely competitive, and the development of highway transport, pipe lines, inland waterways, and even air transport, is making the position of the railways more difficult each day.

Q On the immediate horizon are there any factors that are of major importance in the intensification of competition?

A Yes, there are two very major factors that I think are going to affect the railways of Canada to a marked degree. The first is the construction of the St. Lawrence Seaway, and the second is the construction of the Trans-Canada Pipe Line. As a matter of fact, the railway was sufficiently disturbed by the construction of the St. Lawrence Seaway that we had perhaps the most intensive economic study ever undertaken by a railway made, and everything that has resulted from that study -- and the same thing applies to Trans-Canada Pipe Lines -- I think would indicate that it is going to be another

formidable form of competition to the railways.

Q Leaving aside the competition aspects, what about expenses other than that, what is the situation with respect to expense items such as material prices, wages?

A Well, for many years we have had a steadily rising material and wage bill, both material costs and wage costs have been rising continuously, steadily, and are rising. We have had to look at our operations very closely to curtail to the maximum degree any unnecessary expenses.

Now, one of the unnecessary expenses that in my opinion could be safely curtailed, and I will add, to the efficiency of the railway, is the retention of firemen on road and yard diesels.

Q Other than the saving that would result from the removal of firemen on road and yard diesels, is there any other reason, and the effect that would have on the margin of which you have spoken, is there any other reason why, in your view, the removal should proceed now even though it may in your opinion be somewhat overdue?

A Well, it is overdue in my opinion, I must say, but even at this stage of our development I think a changeover in the manpower situation could be made with much less

dislocation than at a later date, say in 1961, when we have complete dieselization. The changeover now will cause much less dislocation than at a later date.

Q Mr. Crump, have you and has the company considered and evolved a plan for the removal of firemen from freight and yard diesels, as to how it would be done, in the light of the men's situation?

THE CHAIRMAN: You are going to question B now, are you?

MR. SINCLAIR: That is right, sir.

THE WITNESS: Any proposal or plan for the removal of firemen from road freight and yard diesels, certainly considered from the viewpoint of the users of transportation and I think from the viewpoint of the company as well, the other employees of the company would certainly only dictate one action and that would be the immediate removal of firemen from these locomotives, thereby effecting savings immediately of something in excess of \$5 million at the present rate, and on the completion of dieselization in 1961 an amount of some \$11 million a year.

In December, 1956, as you know, the company attempted to buy industrial peace by offering to defer for a period the savings that could immediately be realized by the implementation of our proposal, and we indicated a willingness to accept the report of the board of conciliation. Unfortunately, the Firemen's Union refused these, what I think, were very generous terms of settlement.

Q What is the view of the Canadian Pacific in regard to the matter? You say that in an effort to obtain industrial peace that the company agreed to accept and give the firemen on the railway what in your view was more than generous terms, and I think that is the phrase you used?

A More than generous.

Q What is your view as to the action of the firemen's union in refusing that proposition?

A Well, the Canadian Pacific is firmly of the view that in refusing this settlement the employees of the company in this service were unwisely led and that by the rejection of this settlement the union to my mind misled the employees, probably from a desire -- again this is my thinking -- to maintain the union as a union on the Canadian Pacific and elsewhere rather than thinking of the welfare of the individual fireman on our system.

Q What about the specialized skills that firemen have acquired in the company's service over some years? Did that enter into your thinking at all?

A In considering the possibility of settlement in December 1956 and in advancing a plan of implementation at this time, that is certainly in my thinking because, shall

I say, the highly specialized skills that have been acquired by our firemen cannot readily be used in other places in the labour market. I have had this thought very much in mind.

MR. SINCLAIR: Mr. Chairman, there has been prepared a memorandum entitled "Canadian Pacific Railway -- Proposal as to terms and conditions for the purpose of protecting firemen now in its employ against the consequences of the loss of such employment," which I should like to file as Exhibit 198.

EXHIBIT 198 -- Proposal for protection of firemen now employed.

THE WITNESS: May I say that it is only mindful of all the factors I have outlined that the company advances this proposal.

MR. SINCLAIR: This proposal is drawn up succinctly and in a form to fit into the type of language generally used in labour agreements. This is a proposal as to terms and conditions for the purpose of protecting firemen now in its employ against the consequences of the loss of such employment. It reads:

"I. Firemen with a seniority date prior to April 1, 1953:

- (1) Such firemen will have the right to work in their turn as firemen

"up to 3,800 miles per month in freight service or six days per week in yard service as long as and to the extent that locomotives of a type to which firemen were previously assigned are being operated without firemen in any class of service previously calling for the assignment of firemen in their seniority territory."

THE CHAIRMAN: I must confess that I do not follow that.

MR. SINCLAIR: Perhaps I might paraphrase it. Under the form of regulation today they hold assignments on all types of motive power except switchers of under 90,000 pounds weight.

THE CHAIRMAN: That is the exception there.

MR. SINCLAIR: That leaves out everyone in respect of a service to which firemen are not assigned now, that is under the existing situation. 3,800 miles is the maximum under the regulation that firemen now are working on road service, and six days is the maximum that firemen are now, we will say, working in yard service. Their regulations provide 3,200 to 3,800 miles maximum in road service and they have the right to follow an engine for a 40-hour week

if they choose. While some of them have only a 40-hour week, some assignments are for longer than that and a fireman can follow it if he wishes. So we have taken the maximum.

THE CHAIRMAN: This reads:

"Such firemen will have the right to work in their turn as firemen up to 3,800 miles per month in freight service or six days per week in yard service as long as and to the extent that locomotives of a type to which firemen were previously assigned --"

That description of the locomotive would include all locomotives, steam or diesel, other than those under 90,000 pounds?

MR. SINCLAIR: That is the situation in the yard, and that would include dayliners.

THE CHAIRMAN: They are not locomotives?

MR. SINCLAIR: That is quite right.

THE CHAIRMAN: I would understand that to mean locomotives other than those of less than 90,000 pounds; that would be locomotives of a type to which firemen were previously assigned are being operated without firemen in any class of service previously calling for the assignment of firemen in their seniority territory. How can firemen have any right to work in turn on those locomotives when they are going to be operated

without firemen? I do not follow that at all.

MR. SINCLAIR: I follow your point. This is deferring their removal so that any man who has a seniority date prior to April 1, 1953; any fireman who was employed prior to April 1, 1953, on the Canadian Pacific would continue to work as a fireman, even though this Commission might find that they were not required. The company would continue to employ them on these various runs in their turn.

THE CHAIRMAN: It is simply this: with respect to firemen who have a seniority prior to April 1, 1953, they will continue to go on diesel locomotives until they die or until they retire in the ordinary course or until they are absorbed as enginemen?

MR. SINCLAIR: That is right; in other words, they would not be affected any way whatsoever by this situation.

THE CHAIRMAN: That was not quite clear to me.

HON. MR. McLAURIN: What is going to happen with the one or two firemen who do not want to be absorbed as enginemen? Will they stay there until they die under the terms of that clause? You have been telling us about the limited duties of firemen and perhaps I would prefer to continue to be a fireman.

MR. SINCLAIR: We would then use those men in passenger service. I would think there would be very few of them because firemen like to have something to do. Like everyone else, they consider that the worst job they can possibly have is one where there is nothing to do.

HON. MR. McLAURIN: There will be the singular exception which might be colourful to the whole operation.

MR. SINCLAIR: A man would have to have some specific reason. I do not think they would rush into a place where there is no work to do because firemen on the Canadian Pacific are not that type of men.

MR. LEWIS: Just so that we may have an understanding of the words "are being operated without firemen." Mr. Chairman, apparently that gave you some trouble and it gives me some trouble. Am I right in thinking that those words mean that locomotives to the extent that locomotives of the type to which firemen were previously assigned could under the rule be run without firemen? Is that what is intended by those words? Would the amended rule permit them being run without firemen?

MR. SINCLAIR: If there was any person who stood for it within this seniority group, he would work in turn, he could run as

fireman on that type of power. In answer to Mr. Justice McLaurin may I say that the firemen must follow their promotion, unless there is some reason for not doing so. That is normally part of the labour agreement, that they must follow their promotion. So if there was anyone who tried to play around the corner in that way, there are ways under the agreement of meeting that situation and looking after it effectively. However, I do not think it would happen.

THE CHAIRMAN: Perhaps to clear up the matter the words "are being operated without firemen" might be replaced by the words "are being operated without firemen being required thereon"?

MR. SINCLAIR: No, it is governed by the word "previously." It is of a type to which firemen were previously assigned.

THE CHAIRMAN: Are being or continue to be operated or may be operated under the labour agreement, or whatever you like to call it, under which firemen are not required to be employed. That is the sense of it?

MR. SINCLAIR: That is right.

THE CHAIRMAN: I think those words "are being operated without firemen" really contradict the earlier part, but as long as we understand the significance in which they

are actually being used.

HON. MR. MARTINEAU: With the idea that this might possibly be incorporated in a collective agreement the clause has been drafted so that it would fit into a collective agreement?

MR. SINCLAIR: Quite so. If you look at the agreement you will see quite readily that it was not -- I hope I can say this in the presence of some gentlemen here -- drafted by a legal draftsman.

HON. MR. MARTINEAU: I had thought it had been drafted by one of the lawyers who drafted the clauses of this contract?

MR. LEWIS: It was not drafted by a legal draftsman?

MR. SINCLAIR: Labour agreements are generally drafted by non-legal draftsmen, and that is quite easily seen in Exhibit 1A.

MR. LEWIS: This was, I suppose?

MR. SINCLAIR: I think there were the hands of more than one person involved. This is the result of a combination of many persons.

THE CHAIRMAN: The main thing is that we understand the paragraph. Paragraph (2) speaks for itself.

MR. SINCLAIR: Yes, sir. The next reads:

"II. Firemen with a seniority date later than March 31, 1953, but prior to April 1, 1956."

These are the men who willk be affected and be subject to the provisions set out in this paragraph numbered Roman II.

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THE CHAIRMAN: Just a minute before you pass to the second clause. Clause 1 reads:

"Such firemen will have their existing seniority rights as firemen preserved."

Clause 2 of Roman I says:

"Such firemen will have their existing seniority rights for promotion to enginemen in their turn preserved."

Is there any difference in intent between paragraph 2 of I and paragraph 1 of II?

MR. SINCLAIR: I would think not, sir.

THE CHAIRMAN: If there is no difference in intent, should we not use the same language?

MR. SINCLAIR: Except that as to these men under II it is put in that way so as to give them an option because in the light of what is proposed as alternative work for them the situation may be such that when the time comes for them to exercise their seniority rights as firemen they may wish to say that they are not going to exercise them but to continue their seniority in their alternative employment. What we say here is that their rights as firemen to exercise seniority when that right will arise can be used, that is, when there would be an opening for them as a passenger fireman.

THE CHAIRMAN: Then paragraph 1 of II is larger in its intent to some extent than

paragraph 2 of I.

MR. SINCLAIR: That is right. It is different because it contemplates them moving to work other than as firemen during the period of alternative employment before they have the right under the proposal, as we say, to re-exercise their seniority rights as firemen qua firemen.

MR. LEWIS: Merely so that I may understand it, if I understand my friend correctly he said in answer to you, sir, that paragraph 1 of II includes the rights set out in paragraph 2 of I, that is, such firemen would have their existing seniority rights, including the rights of promotion to enginemen in their turn, preserved. That is what he intends.

MR. SINCLAIR: I think my answer to the Chairman's question was yes, that this was proper because of the particular situation.

Paragraph 2 of Roman II also refers to men with seniority dates between March 31, 1953 and April 1, 1956, and reads:

"Such firemen will be offered alternative employment as trainmen or yardmen to the extent that such work is available."

I think that speaks for itself. They will be offered alternative employment as trainmen or yardmen. Paragraph 3 reads:

"Such firemen who hold themselves

The first part of the paper discusses the importance of the study of the history of the United States. It is argued that a knowledge of the past is essential for a full understanding of the present. The author then goes on to discuss the various factors which have shaped the development of the United States, including the influence of the British, the Spanish, and the French. He also discusses the role of the American people in the creation of the new nation. The paper concludes by stating that the study of the history of the United States is a task of great importance, and that it is one which should be undertaken by all who are interested in the future of the country.

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available for work" --

That is for such work as is referred to in paragraph 2.

"-- will, as long as their seniority" --

Again as firemen.

"-- would have entitled them to work as firemen on a locomotive being operated in their seniority district without a fireman, be assured pay at least the equivalent of five basic days pay per week as yardmen, or, in the case of men assigned to road service, 3,000 miles per month at through freight rates as trainmen."

In other words, Mr. Chairman and members of the Commission, this is what you might say is a guarantee. That is the guarantee to all these men that if they hold themselves available for work as trainmen or yardmen, that if they become assigned to the trainmen group they have a guarantee of 3,000 miles per month at through freight rates as trainmen even though they do not work at it and if they are in the yard group the equivalent of five basic days pay per week.

THE CHAIRMAN: Unemployment insurance.

MR. SINCLAIR: Well, pretty generous unemployment insurance.

THE CHAIRMAN: That is the essence of it. If they do not work they are paid.

MR. SINCLAIR: Yes, sir. These provisions of 3,000 miles per month at through freight rates as trainmen and five day work assignments as yardmen are the closest attempt we could make to equate fairly and, indeed, generously, the situation as to these men when they were not going to be working.

You see, this is the minimum. In other words, if on account of work they can earn more than that they are, of course, not precluded from doing so. For instance, I think that under the trainmen's regulations the minimum is 2,800 miles and in some of the agreements at any rate there is no maximum but we generally work to a maximum of 4,500 miles for a trainman. This is the minimum guarantee. They could of course exceed it working as trainmen and they could of course exceed it working as yardmen, but this is the minimum guarantee.

Paragraph 4 is necessary to determine whether the men in this class that we are dealing with, those having seniority dates between March 31, 1953 and April 1, 1956, would have been working as firemen. That is the purpose of paragraph 4.

"4. In order to ascertain the number of such firemen to be assured of the minimum pay specified in the

(2)

preceding paragraph, the total number of miles made in the previous month in each seniority territory by enginemen in all services, excluding passenger service and locomotives of a type to which firemen were not previously assigned, will be ascertained, road and yard service miles to be shown separately, and the corresponding figures will be taken out showing mileage paid to locomotive firemen."

That would be locomotive firemen who would have been working under Roman I, men who had continued as firemen in the normal way.

"The differences between the figures covering enginemen's mileage and those covering firemen's mileage for road and yard service respectively divided by 3800 for road service" --

That is the figure that was referred to under Roman I.

"-- and the equivalent of six days per week for yard service" --

Referred to in Roman I.

"-- will give the maximum number of such firemen to be assured such minimum pay."

Now, what that is saying is how do you determine how many firemen you would have had on the roster at any time and working if you had gone on just as we are today? How are you going to determine that? This is the way you determine it in each seniority district.

THE CHAIRMAN: Again I am lacking. At the moment I do not see the necessity for paragraph 4. You have got the class of firemen defined by the opening two lines of Roman II.

MR. SINCLAIR: Yes, sir.

THE CHAIRMAN: It is all firemen with that seniority.

MR. SINCLAIR: Yes, sir, but, with respect, sir, the point is this, that they get a minimum guarantee of wages from the company only if they would have worked as firemen had there been no change. Although we do not see it at this time, we have to contemplate in an agreement such as this fluctuations in traffic in that the traffic level might fall to such a degree that if there had been nothing done about assignments of firemen certain firemen in this group would not have been working in any event.

THE CHAIRMAN: In other words, paragraph 4 is a proviso to paragraphs 1, 2 and 3 although it is not so framed. That is what you really intend, is it?

MR. LEWIS: To 3, not to 1 and 2.

MR. SINCLAIR: It would never affect paragraph 1.

THE CHAIRMAN: No. All right.

MR. SINCLAIR: Just 3 alone.

THE CHAIRMAN: It is a proviso to paragraph 3.

MR. SINCLAIR: That is right, sir.

THE CHAIRMAN: Instead of saying "in order to ascertain the number of such firemen to be assured of the minimum pay specified in the preceding paragraph" you could say "provided that".

MR. SINCLAIR: Provided that to determine the number of firemen in this classification who shall receive --

THE CHAIRMAN: Not to determine the number but to determine "the" firemen.

MR. SINCLAIR: Who shall receive.

THE CHAIRMAN: All right.

MR. LEWIS: I am sorry, Mr. Chairman. That is one of the things that has been worrying me. It is not to determine "the" firemen. It is to determine the number of firemen.

THE CHAIRMAN: It is to determine the number of firemen.

MR. SINCLAIR: It is to determine the firemen numerically for each seniority district but by taking them back to their seniority position you will not only determine the number but will also determine the men.

MR. LEWIS: All I am saying is that the proviso under paragraph 4 of Roman II can only determine the number. The people affected would then presumably be determined by the seniority list in that particular district. If the number is less than the total on the seniority list, then the bottom would fall out of it. The people at the bottom of the seniority list would fall out. That is the intention, I imagine.

MR. SINCLAIR: Yes, just as they would fall out today if there was not work. It works exactly the same way as if there was not work.

THE CHAIRMAN: Well, your idea brings in paragraph 1, Mr. Lewis, "Such firemen will have their existing seniority rights as firemen preserved", and then paragraph 4 would have to be applied having in mind paragraph 1.

MR. LEWIS: Yes.

THE CHAIRMAN: You come out at the end with the firemen who are entitled.

MR. LEWIS: That is right, sir.

MR. SINCLAIR: One thing is that this group of firemen would not have the right to stand for work as firemen after the proposal went into effect except for work as passenger firemen. Any of the firemen coming within Roman II would only have the right to take work as firemen in their seniority turn when

the company needed passenger firemen.

THE CHAIRMAN: Quite.

MR. SINCLAIR: Then I come to the last two lines of paragraph 4 of II.

"Any excess miles in road and yard service respectively remaining after the computation is made will be added to the miles for the following month ."

That is in accordance with the way mileage is calculated under the existing agreement and so that there will not be any fractions. That is the usual provision and this just continues it. Then, paragraph 5 reads:

"5. When there is a vacancy available such men will have the right to return in seniority order to work as firemen in passenger service with their original seniority as firemen. Where such men are required to hold themselves available for work as firemen they will have the same rights as firemen with seniority date prior to April 1, 1953."

(3)

I should explain that. In other words, that means that the company may, with the fluctuations in traffic, require a man to come up and take a passenger run and he may leave the job he was on as a trainman or something of that

nature. He gets up to the passenger run and it falls off and he might be bouncing backwards and forwards. In order to remove that situation, which might be considered to be not quite right --

THE CHAIRMAN: That moves him up then into Roman I.

MR. SINCLAIR: Once he gets into that position then he holds all rights as if he was under I.

"Subject to their meeting the standard requirements, such men will also stand for promotion to enginemen in their turn."

That is just making it the same as paragraph 2 of I. In other words, if when this goes into effect they have not completed their "A" book or passed their medicals that are required or whatever mechanical requirements are concerned, they would have to qualify with respect to them. If they qualified they would carry that qualification forward, subject to the normal orals we have spoken about in these proceedings.

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Roman II, paragraph (6), reads:

"Such firemen, failing to exercise their seniority to firemen's work in passenger service when available will be considered as having elected to retain seniority in the other class of service in which they are employed and will thereafter forfeit their seniority as firemen."

Now, that is in there so that when it comes up to a position where they make a decision to see that there is no shilly shallying or going back and forth --

BY HON. MR. McLAURIN:

Q Does that mean that a man who is a trainman can look ahead and as far as he can look forward for six months the train picture might look a little better than the fireman's picture --

MR. SINCLAIR: Or, he might have gone into yard work and like the regular hours.

MR. McLAURIN: And like being at home at night and so on?

MR. SINCLAIR: . Yes, and he might say, "well all right, I will stay on as a yardman," and once he takes that position, when he is called here, then he is a trainman and any rights he had as a fireman completely disappear and are forfeited and any rights he has he has then as a yardman or a trainman.

THE CHAIRMAN: There are no difficulties here from membership in the union standpoint? If a man works as a trainman presumably he must be a member of the trainmen's union. Can he continue to be a member of the firemen's union at the same time?

MR. SINCLAIR: Our situation, sir, is that he does not have to be a member of the union. He has to pay the dues --

THE CHAIRMAN: I am not interested in that. But you have had that in mind?

MR. SINCLAIR: Yes, we have had that in mind and these provisions in this exhibit would not adversely affect that. When he would come in as a trainman or as a yardman he would then go in there with our guarantee at the bottom of the seniority roster.

THE CHAIRMAN: I was only thinking that there might be some difficulty of that kind from a practical standpoint but you say No?

MR. SINCLAIR: No. As we see it, no. We have given it consideration.

THE CHAIRMAN: All right. Paragraph (7)?

MR. SINCLAIR: Roman II, paragraph (7) reads: "Alternative employment offered to such fireman will be within the seniority territory in which he holds his rights."

In other words, he has a seniority territory as

1914

Received of the Treasurer of the
Board of Directors of the
City of New York
the sum of \$100.00
for the year 1914

Witness my hand and seal
this 1st day of January
1914 at New York City
New York

Mayor of the City of New York

Comptroller of the City of New York

City of New York

N.R.Crump

a fireman and his alternative employment must be offered to him in that seniority territory and not in any other. Of course, if there is work elsewhere and he wants to go to it he can. This is not designed to restrict movement but this is designed so that we cannot compel him to go to another seniority territory.

THE CHAIRMAN: I see.

MR. SINCLAIR: Roman II, paragraph (8), reads:

"Firemen failing to accept alternative employment in train or yard service will lose their seniority rights as firemen and be deemed to have resigned from the service."

Now, the reason for that is this. A fireman is living and receiving guaranteed pay under Roman II by saying, "I am available for work."

In the meantime he has another job and we call him as a yardman or as a trainman and he says, "No, I am not coming. I am not going to come." The reason he is not coming is that perhaps his wife answers the phone and says, "He is away at work." Then we say, "You are not holding yourself available for work," and we say, "You have refused to accept the alternative employment and therefore you are deemed to have resigned from the service." I think that is a normal and fair provision.

Then there is Roman III. This is a group of firemen who have a seniority date later than March 31, 1956. This paragraph reads:

"Such men will be given preference over new applicants for other employment with Canadian Pacific."

This group of men will be given a preference but without guarantees. These are the men who joined this service as firemen subsequent to the date of the contract.

THE CHAIRMAN: Do you need the word "other" in Roman III?

MR. SINCLAIR: Well, you do, sir, only to show that the group under Roman II will always come first in regard to trainmen's and yardmen's work. It could be ... I gave that matter some consideration myself and discussed it with the group involved in this and I agreed that it should go in there with that thought in mind unless we redrafted Roman II to give them first preference.

THE CHAIRMAN: Well, the word "other" means what?

MR. SINCLAIR: Any other work in the company.

THE CHAIRMAN: Other than what?

MR. SINCLAIR: Other than firemen. Subject to the rights of the firemen who would stand for work under Roman II. It could be redrafted to make it much clearer. They would not be precluded and they would get a

preference in work as yardmen and trainmen, second only to the rights of firemen who under Roman II would stand for alternative work.

THE CHAIRMAN: Well, under paragraph (2) that class was described as taken care of.

MR. SINCLAIR: That is right.

THE CHAIRMAN: And then you have a different class under paragraph (3)?

MR. SINCLAIR: Yes.

THE CHAIRMAN: Roman III deals with men who enlisted with the company after March 31, 1956?

MR. SINCLAIR: That is right. They would be given ...

THE CHAIRMAN: He no longer has a job as a fireman and he applies to the company for work. Well, that man, nor any man that came in off the street, could not interfere with the right of people under Roman II?

MR. SINCLAIR: No, they could not, sir, and it was only to make it clear that he could not say, "Well, you are hiring trainmen and you undertook to give me a preference and yet you are giving another fireman a preference."

THE CHAIRMAN: But the people who are entitled in Roman II stand on Roman II?

MR. SINCLAIR: Yes.

THE CHAIRMAN: And the man who comes along under Roman III, just like a man on the street, he is subject to Roman II?

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N.R.Crump

Mr. SINCLAIR: I quite agree with that --
With your permission I would like to think this
through and speak to one of my people, if I may,
and perhaps we will strike the word "other" out.

MR. LEWIS: Perhaps you could change some
other words as well.

THE CHAIRMAN: We are only trying to understand
this clearly now.

MR. SINCLAIR: That is right. Could I perhaps
take five minutes and I could clean this one thing up?

THE CHAIRMAN: Well, we are adjourning at
12 o'clock today because I understand Mr. Lewis has
to get away. Can we not proceed?

MR. SINCLAIR: Then, subject to my cleaning this
up, we will proceed.

THE CHAIRMAN: You will have plenty of time
to clear that up.

BY MR. SINCLAIR:

Q Now, Mr. Crump, this proposal that is set out
in Exhibit 198 results in what in regard to the
calculation made as to the total estimated
amount of savings deferred as a result of the
plan set out in Exhibit 198? First of all, such
a calculation was made?

A Yes, there has been such a calculation made.

Q And what was the result of it?

A It was our calculation that this plan would
result in a deferment of savings to the
Canadian Pacific of something in excess of

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\$38 million.

BY THE CHAIRMAN:

Q That is, instead of assuming that the firemen's work would be dropped today, spreading it over?

A Yes, that is the standard of comparison.

MR. LEWIS: I did not hear the amount?

MR. SINCLAIR: It was \$38 million.

THE WITNESS: Something in excess of \$38 million.

BY MR. SINCLAIR:

Q That is, Mr. Crump, making the calculation as at the end of 1957? Is it not?

A Yes.

Q And extending it in futuro from that?

A Yes, forward.

Q As you see it, what are the key points in this proposal that you think might be specifically drawn to the attention of the Commission, Mr. Crump?

A Well, of course, the important key point, I think is the date of April 1, 1956, and working from that key date the first point is that firemen with more than three years' seniority from that key date-- in other words who started prior to April 1, 1953 -- would have all of their seniority rights protected and would have the right to work up to 3800 miles per month in freight service or six days in yard service.

The second point is, I think, that the men who started between April 1, 1956 and March 31,

N.R.Crump

1953 -- in other words the men with less than three years' seniority from the key date -- would have their earnings protected by a minimum guarantee so long as they held themselves available for work and so long as they stood for work on their seniority district.

Q And in addition they would have their seniority rights protected?

A Yes. They, of course, would have their seniority rights protected. And the fourth item, I think --

Q What about alternative employment?

A The alternative employment would be in train or yard service where they would have the opportunity of using most of the skills they had acquired as firemen in railway experience. In addition to that it would enable these men to gain further experience in railway operation which would be valuable to them at a later date when they return with their seniority rights.

Q And what was the fourth point you were about to make when I interrupted you?

A Well, the fourth point is that men who started subsequent to March 31, 1956 would be given preference in employment with the Canadian Pacific in other positions.

BY MR. SINCLAIR:

Q That is, as set out in Roman III of Exhibit 198?

A That is right.

BY THE CHAIRMAN:

Q Mr. Crump, in the first subparagraph of paragraph 1, is it implied that, supposing work was not actually available, the men would still be paid up to 3800 miles per month, or six days? The paragraph speaks of firemen having the right to work in their turn. Assuming that there might not be work available, there is no express provision in paragraph 1, as there is in paragraph 3, of Roman II, but I assume the intent is the same?

MR. SINCLAIR: That is covered by the words "in their turn".

THE CHAIRMAN: I know, "the right to work in their turn", but the intent of the company, if there is no work available, that is what I wondered about.

MR. SINCLAIR: Oh, yes.

THE CHAIRMAN: I suppose, whether there is work available or not, they will be paid up to these limits?

MR. SINCLAIR: No, sir, these men will only have the right to work in their turn, when there is work because they are continuing on as firemen. It is the same thing as they

have under their own agreement today, that is, the right to work in their turn.

HON. MR. McLAURIN: But, from the practical point of view, they are so high up on the seniority list they would likely be all right.

MR. SINCLAIR: That would mean that they would have, as of this time, over four years' seniority.

MR. LEWIS: Perhaps, Mr. Chairman, just to understand what the guarantee is that is implied in (I) as I read it, it is that as long as there are firemen within that seniority category, firemen will be employed on the diesel locomotives.

MR. SINCLAIR: No, what Roman I means, I think what we are trying to say clearly is that they are protected, they will continue just as they are today, exactly as they are today, affected in no way whatever --

THE CHAIRMAN: By the removal of the obligation to have firemen on diesels.

MR. SINCLAIR: That is exactly it, sir.

HON. MR. McLAURIN: As long as there are diesels running there is a chance for them to be firemen.

MR. SINCLAIR: As long as a diesel is running, he has a right to get on it and work.

THE CHAIRMAN: According to his seniority.

MR. SINCLAIR: According to his seniority.

HON. MR. McLAURIN: How many would there be?

MR. LEWIS: According to Exhibit 12, 2,450.

HON. MR. McLAURIN: How many?

MR. LEWIS: You will find that in Exhibit 12. It sets out the number of firemen as 2,927, 447 of whom had less than three years' seniority as of April 1, 1956. Therefore, if you apply that to Exhibit 198, you have 2,450 in Roman numeral I and 477 under Roman numeral II. How many may have been hired since April 1, 1956, we have no information on here.

MR. SINCLAIR: It does tie in with Exhibit 12 as my friend says, and I am sorry I did not mention that.

HON. MR. McLAURIN: There are not many under Roman III, then?

THE WITNESS: No, it would be relatively negligible.

MR. SINCLAIR: Those are all the questions I wish to put to Mr. Crump.

THE CHAIRMAN: I suppose it is hardly worthwhile your starting today, then?

MR. LEWIS: Hardly, Mr. Chairman.

BY MR. SINCLAIR:

Q Mr. Crump, you can be back here on Monday

morning to answer my friend for the benefit of the Commission?

A Well, yes. I shall have to rearrange some plans, but I think this is a matter of primary importance to the company and I will be glad to be back on Monday morning.

THE CHAIRMAN: You have let all interested know that we would adjourn on your application today at twelve o'clock?

MR. LEWIS: Yes, I have mentioned it to Mr. Sinclair.

THE CHAIRMAN: And Mr. Crump will be back here on Monday morning.

--- The Commission adjourned at 12.00 noon until 10.00 a.m. Monday, May 13, 1957.

**ROYAL COMMISSION ON EMPLOYMENT OF FIREMEN
ON DIESEL LOCOMOTIVES IN FREIGHT AND YARD
SERVICE ON THE CANADIAN PACIFIC RAILWAY**

36

PROCEEDINGS

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I N D E X

Witnesses

CRUMP, N.R.
Exam. by Mr. Lewis 4913

DOULL, Alexander Campbell,
Exam. by Mr. Lewis 4965

ROYAL COMMISSION ON EMPLOYMENT OF
FIREMEN ON DIESEL LOCOMOTIVES IN
FREIGHT AND YARD SERVICE ON THE
CANADIAN PACIFIC RAILWAY

Proceedings of public
hearing held at Ottawa,
Ontario, Monday, May 13,
1957

PRESENT:

Hon. R. L. Kellock,	Chairman
Hon. C. C. McLaurin,	Member
Hon. Jean Martineau,	Member
Douglas M. Fraser,	Secretary
A. R. Winship,	Asst. Secretary

APPEARANCES:

D. W. Mundell, Q.C., C. J. A. Hughes, Q.C.,	Representing the Commission
I. D. Sinclair, Allan Findlay,	Representing the Canadian Pacific Railway Company
David Lewis,	Representing the Brotherhood of Locomotive Firemen and Enginemen

Monday,
May 13, 1957.

36th DAY

MORNING SESSION

---The Commission opened at 10.00 a.m.

N. R. CRUMP, recalled.

EXAMINED BY MR. LEWIS:

- Q Mr. Crump, I should like to have your assistance for a few minutes in outlining the history of the negotiations regarding the use of helpers on diesel engines. The first step you mentioned in your evidence was 1943 when you acquired, or the Canadian Pacific acquired a few yard diesels?
- A Yes, except that we acquired our first yard diesel in 1937.
- Q That was acquired on a sort of experimental basis?
- A That is correct.
- Q And in 1943, Mr. Crump, there was not really any serious argument about the use of helpers on those diesels, was there?
- A Well, I would not say that the argument was not serious. I was at headquarters at that time and it was firmly in our minds when the locomotives were ordered that they would operate without firemen, but on receipt of the locomotives the firemen's union applied considerable pressure and negotiations took place at the regional or district level. In 1943 we were in the middle of a war and our primary concern at that time was to keep the railway functioning and the result was that firemen

were placed on most yard shifts.

Q Mr. Crump, what I would like you to address your attention to is precisely what you just said, that your interest was to keep the railway functioning. The first discussions were joint, Canadian National and Canadian Pacific; right?

A The final negotiations were, yes.

Q And am I not right in suggesting to you that it was not only the Brotherhood of Locomotive Firemen and Enginemen but also the Brotherhood of Locomotive Engineers who objected to the suggestion that there be no firemen on those diesels?

A It could well have been; I do not recall that.

Q Furthermore, is it not so that the matter was not put on the negotiating table in any formal way at that time?

A No. There were many informal discussions as a matter of fact, and to the best of my recollection the matter was discussed informally almost annually or biannually for many years.

Q Then your term that the brotherhood put considerable pressure on the Canadian Pacific, when taken together with the suggestion that you were interested in running the railway, leaves, does it not, Mr. Crump, a somewhat misleading impression?

There was not any threat to the railway by the brotherhood at that time or anything like that, was there?

A One has to judge the situation as he finds himself in it and while there was perhaps in your words not a formal threat, one can judge the tenor of these negotiations pretty well when he is in them. The net result was that while we had planned on operating them without firemen, we put firemen on them.

Q I appreciate that that was the result and I suggest to you that since you had only about five, was it, yard diesels at that time --

A Five, that is correct.

Q -- and that there was not at that time any very definite program for the use of diesels on the road, was there?

A No; as a matter of fact the use of road diesels did not commence until 1949, and as I recall the matter was left in 1943 -- that would be the pattern at that time, that if and when further diesels were received the matter could be given consideration.

BY THE CHAIRMAN:

Q It may not be of importance, but would there not be six instead of five, one in 1937 and five in 1943?

A Actually there was. We had received five in 1943 and we still had the one 1937 diesel in service for a short time after 1943.

BY MR. LEWIS:

Q What I am actually suggesting to you, Mr. Crump, is that because you only had five or six yard diesels at that time the discussions with the brotherhood or brotherhoods with regard to the use of firemen were never carried to a point of very real conflict?

A Well, there was an erring even on both sides and terms of settlement made for the engines in use at that time, but I would say it was not a direct conflict in the sense that we understand it now.

Q Then if we come to 1947, in November, was it, of that year the Brotherhood of Locomotive Firemen and Enginemen served notice on the railway for a revision of the then collective agreement; is that right?

A It was in 1947; I do not remember the month.

Q Then am I right in suggesting to you that for some months after that those proposals were not directly considered by the parties in negotiation until September 1948; is that not right?

A Well, I do not know what transpired in the actual negotiations, but it was well on into 1948, I think it was, when I became connected with the diesel issue at all.

Q As a matter of fact, Mr. Crump, was not this what happened: after these notices were served on your railway and on the other railways in November, 1947, there was discussion of a nation-wide wage negotiation or nation-wide wage negotiations between the railways and the brotherhoods, and that lasted for some months and you did not get down to actual negotiations until toward the end of 1948?

A As I recall it, that is the case.

Q Then in 1948 in those negotiations, Mr. Crump, there was never any suggestion, was there, by the Canadian Pacific Railway that helpers be taken off diesels?

A I am trying to recall exactly what the discussions were, and if my memory serves me aright there was considerable discussion as to the need of helpers on diesel engines. I am afraid I do not recall exactly how the discussions progressed at that time because there were so many other factors involved. I do not remember just the details of how

those discussions went.

Q My instructions, Mr. Crump -- you correct me if I am wrong and perhaps this will help you recall -- both verbal and from looking at the brotherhood's files are that up to that time you had been paying the helpers on diesels the same rates of pay that you had been paying the helpers on electric locomotives; right?

A That is correct.

Q And that there was a differential downward to what you paid the helpers on electric locomotives and what you paid firemen on steam locomotives, and the brotherhood wanted the people on the diesels to receive the same rate as paid on steam rather than the electric rate?

A Yes, that is correct, only the differential was upward from the electric locomotive to the steam locomotive.

Q I was saying downward from steam to electric.

A Steam was the maximum rate.

Q They wanted to go up from electric to steam?

A Yes.

Q Is it not a fact, Mr. Crump -- perhaps you can recall this -- that the discussions between the brotherhood and the railway at that time were limited entirely

to this question of which rate the helpers on diesel engines were to receive?

A There were extensive discussions on the question as to whether the helpers on diesel locomotives should be paid the steam rate or electric rate, and I think perhaps the greater portion of the discussion was on that subject in so far as diesels were concerned. There were many other subjects in negotiation, of course.

Q Am I right in suggesting to you that on November 5, 1948 -- you may not remember the precise date -- the railway put forward an alternative proposal which in fact -- correct me if I am wrong, Mr. Crump -- sought to reduce the arbitraries for both steam and diesels in order to offset the increase in the rate which helpers were to receive on the basis of the previous proposal?

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A I am not sure of the date but I know that was the situation.

Q And as a matter of fact eventually that was the basis of settlement, some adjustment in the arbitrariness for diesel helpers?

A Yes, the agreement that went into effect on the first of January of 1949 had some changes in arbitrariness, I believe, but the important point was that helpers on diesel locomotives were given steam rates.

Q Now, Mr. Crump, my reason for asking these questions and my difficulty arise from the fact that I have not been able -- you tell me where I can find it, if you will -- to find anywhere in the Brotherhood's files anything in writing from the railway suggesting that that part of the Brotherhood's proposal which required a helper on the diesel engine be deleted from the Brotherhood's proposal. I have not been able to find any suggestion of that at all. Was there any?

A Not to my knowledge. As far as I know, all of those discussions were in negotiations on a purely verbal basis.

Q And you accepted the Brotherhood's proposal, did you not, for the helper on the diesel engine without any serious question at that time?

A Well, we accepted it. I would not say without any serious question. In evolving agreement in

our labour contracts we of course must keep many things in mind, and we knew at that time what had transpired in the United States. We felt we knew the attitude of the firemen's union. We felt they knew our attitude. But settlement was arrived at on the basis which you have just reviewed. Of course, you have got to bear in mind that we only had a relatively small number of yard diesels at that time and had not yet embarked on road service.

Q Yes, I appreciate that. You say you knew what had transpired in the United States. What have you reference to?

A Well, a long series of negotiations commencing, I think, in 1935 in the United States regarding helpers on diesel locomotives and the fact, of course, that on the American roads the diesel rule, as was established on the Canadian Pacific at the beginning of 1949, I believe was established essentially in those terms on the United States railways about 1938 or about ten years before.

Q I have only a typewritten copy, Mr. Crump, but I should like to draw this letter to your attention and you tell me whether you remember it. It is not a signed copy so I will be glad to show it to you if you wish. Here is a copy of a letter which was shown to me, Mr. Crump, dated November 8, 1948, which you

signed as vice-president for the C.P.R. and a Mr. N. B. Walton signed as executive vice-president for the C.N.R. Do you recall that?

A Yes, I recall that Mr. Walton and I consulted jointly on the terms of that 1949 agreement.

Q This letter, Mr. Crump, perhaps you recall, was addressed to Mr. T. Mattingley, then vice-president of the Brotherhood of Locomotive Firemen and Enginemen?

A I should think that would be right.

Q What struck me, and I just put it to you, was that in the copy of the letter which I have seen -- correct me if it is wrong -- there is no suggestion whatever that helpers are not needed on diesels. There appears to be merely an indication as I recall the letter -- and again correct me if I am wrong -- that the sort of work load of the helper on the diesel was less than it had been on oil and on the stoker, which was less than it had been on hand-fired engines, and that was all there was in that letter. Isn't that right?

A What was the date of that letter?

Q November 8, 1948.

A November 8 -- well, it must be remembered that negotiations were reaching their culmination about the end of 1948 and I should think all of the controversial matters had

been pretty well threshed out by that time and that they were getting down to the meat of the agreement as it was eventually signed at the end of the year.

Q Then, in 1954, Mr. Crump, your railway did make, I understand, a proposal to remove helpers from diesel electric locomotives?

A Yes, we did. That was in the 1954 negotiations.

Q Again I am instructed that, whatever the reason may have been, there was not very much discussion on that subject during 1954. Do you know anything about that?

A Yes. There may not have been very much discussion but it is not too difficult to tell in negotiations how adamant your opponent is and we already had quite a large number of other matters at that time that were fully occupying our attention in the labour field and the company withdrew the proposal.

Q Now, after that point, and this is the point to which my questions to you were directed -- up to and including 1954 is it not right that it would be misleading to suggest to the Commission or to the people of Canada that the Canadian Pacific Railway had been forced in 1943, 1948 and 1954 by any sort of threat to move from its position on the matter? That would be wrong, would it not? It would be misleading?

A I don't think so, sir. The threat may have only been implied but I think it was there. Otherwise we would not have done what we did.

Q Mr. Crump, is it not true that discussions never reached that point? Is it not right that all you had in 1954 was the position of the Brotherhood that it would not agree to your proposal?

A The position of the Brotherhood was that they would not agree.

Q That is right, and I suggest to you that in labour negotiations you do not talk about threats in the sense of a railway stoppage when you are dealing with the kind of discussions that took place in 1943, 1948 and 1954, Mr. Crump?

A Well, that is a matter of personal assessment as to whether the implied threat, I shall call it for want of something better -- if the implied threat is sufficiently serious, as to whether it might lead to a railway stoppage.

Q You did not get to the point of assessing that, did you?

A We did not feel at that time that we could pursue the matter to the point, for instance, that has been involved in this past year.

Q Would it not be more accurate to say, Mr. Crump, if I may try to be of help, that prior to 1956 your railway was anxious to

reach a settlement even if it was at the cost of leaving this particular matter aside for the time being?

A Well, the fact that we did make these settlements I think makes it obvious that that was the case.

Q Which takes me, Mr. Crump, to 1956 --

THE CHAIRMAN: The agreement after 1948 was that of 1954, was it?

MR. LEWIS: No, the agreement of 1948 became effective January 1, 1949.

THE CHAIRMAN: And the next one was in 1954?

MR. LEWIS: I do not think so.

(2) THE WITNESS: No, there would be some opening of the contracts between that period.

BY MR. LEWIS:

Q Mr. Crump, you can correct me if I am wrong but my impression from the files is that between 1949 and 1954 the matters in negotiation were merely the normal ones of wages and rules and that kind of thing?

A That is my recollection.

Q And any revisions which may have taken place -- I am not suggesting any did because I do not remember -- between 1949 and 1954 related to wages, rules, and conditions of the normal kind?

A That is right.

Q And the revisions which were made as a

result of the 1954 negotiations also related to that field, if any were made. Is that not right?

A Yes, it was a question of wages and rules.

Q As I was saying, that takes me to 1956, but before asking you about those negotiations there are one or two preliminary questions I should like your comment, your experience on. I gathered from your evidence and the evidence of other witnesses that there is a certain, shall I put it, close relationship between the employees of your railway and railway employment generally and the running of the railway, a pride and interest in the railway as such by the employees of the railway. Is there anything in that?

A Well, as a railwayman I would say that is correct and that we have always prided ourselves on the esprit de corps of our employees.

Q There was a suggestion by witnesses here and ^{at} in other railway matters/which I have had the privilege of being present, as has the Chairman of this Commission on at least two occasions to my knowledge, that the attitude of the engineer, the fireman, the conductor, the trainman during his work on the railway is something a great deal more intimate with the operations of the railway than is usually found in large modern industrial complexes. Would there be anything in

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that?

A Well, I have felt that to be the case for many years but it is purely a personal feeling, I must say, and perhaps some pride.

Q As a matter of fact, as one, two or three witnesses here have suggested, including yourself, it appears to be even a family pride? There are some generations of railway employees?

A We feel so.

Q I almost got the impression that it was an inherited characteristic from some of the suggestions?

A Well, perhaps it is partly inherited and partly acquired.

Q Now, I put it to you very seriously, Mr. Crump, in view of that kind of relationship between the firemen, among other railway employees, and the railway, do you as the President of the C.P.R. and as a man with great experience in labour-management relations -- did you think and do you think that saying to the firemen in February, 1956, "You are no longer needed, out you go", was likely to result in the kind of discussion that would lead to an understanding?

THE CHAIRMAN: Do you think an answer to a question of that kind is going to be of assistance to us?

MR. LEWIS: Well, Mr. Chairman, quite

frankly --

THE CHAIRMAN: If you want it, go ahead. I am just wondering if you think it is going to be of assistance to us.

MR. LEWIS: Perhaps not, Mr. Chairman, but the reason for my dealing with this question, and I should like your permission, if I may, and the Commission's permission to do so, was Mr. Crump's statement about the leadership of the Brotherhood having misled the members and I did not feel that should stay on the record without being tested. I am in your hands.

THE CHAIRMAN: I was just thinking as you were referring to the matter of heredity that even in families there are minor differences of opinion from time to time. However, you may put your question, if you wish.

MR. LEWIS: I have no doubt there are, sir.

BY MR. LEWIS:

Q Mr.Crump, you were saying that you had this relationship and I was asking you whether as president of the Canadian Pacific Railway you think or thought that throwing a proposal on the table in February, 1956 to spokesmen of the firemen to the effect that they were no longer needed -- out they go -- was likely to lead to the kind of understanding that you were seeking?

A Well, I do not think your description of the procedure is entirely correct. We surely did not throw this proposal on the table, as you say, to the firemen and -- "out you go."

The request was a proposal on the part of the Company, as nearly as I can recall, that management should have the right to say where firemen would be employed on diesel locomotives.

Now, in view of the experience we had

had in the past ten or 12 years it was obvious there was going to be a long period of negotiations on our proposals as well as on the proposals of the union and as it eventually turned out these negotiations led to the point where the company agreed to certain undertakings. In making that agreement we realized we were deferring the possible proceedings for many years --

Q You mean in making that proposal?

A In making the proposal; yes, thank you. But the firemen and the Canadian Pacific family essentially were not to be harmed. They would suffer no disadvantage and it really amounted to this fact. Were we to continue hiring firemen who were not yet in our service -- who were not yet employees of the Canadian Pacific? Now, I think the Canadian Pacific demonstrated its good will toward this craft by making that proposal or proceeding to that proposal.

Q That was not made, was it, in February, 1956?

A No, but that was the outcome of the negotiations.

Q That was made, was it not, after the Board of Conciliation report?

A Quite right.

Q So that up to the Board of Conciliation report at the end of 1956, your firemen had the impression that they were merely to be

thrown into the discard, is that right?

A Well, I would hardly say, "Thrown into the discard," but our firemen surely knew that technological development has removed the primary purpose of them being on a locomotive.

Q That may well be so, but whether or not this technological development brought this about -- surely you will agree -- that no one particularly enjoys being told that he is no longer needed and the occupation to which he has given his life is no longer required and that thence forth he is to be thrown into the discard. That is in effect what your proposals meant up to the time of the Conciliation Board report, was it not?

A Well, I do not quite go along with the phraseology of being "thrown into the discard".

Q You may paraphrase it, if you wish, Mr. Crump?

A But I think the essence of it was in our proposal that mangement should have the right to determine if and when and where helpers should be employed on diesel locomotives.

Q Yes, and did you not make perfectly clear to the Brotherhood in discussions that that in effect would mean that you would take the firemen off almost all the diesel engines because in your view they were not needed?

N.R.Crump

A I have no doubt -- I was not in those negotiations, but I have no doubt that perhaps that impression was left because they were in a bargaining stage.

Q Yes. All I am driving at is that in view of all the history and feeling of fear which I am sure you will agree with me must have arisen in your firemen and firemen all across Canadian railways, do you think it quite fair to say, Mr. Crump, that the leadership of the Canadian section of the Brotherhood or any other section of the Brotherhood had misled its members into the action which they took in January of this year?

A In view of all that transpired in this case and the more than generous offer made by the Canadian Pacific to its firemen, I feel that the wording that I used was justified.

Q Well, Mr. Crump, have you had any evidence whatever of any opposition from any section of your firemen -- rank and file firemen -- to any action that was taken by the Brotherhood?

A I do not quite understand the intent of your question. Would you mind repeating it?

Q Well, have you had any evidence that the rank and file firemen of the Canadian Pacific Railway raised any objection to the policy pursued in the name of the Brotherhood up to and including the stoppage of January, 1957?

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N.R.Crump

A Well, my information -- the information which I have -- might or might not be wrong -- or rather correct -- in that respect, but please bear in mind that when I said the firemen on the Canadian Pacific had been misled by their union, I was voicing my opinion of the matter.

Q And it is an opinion which you are still ready to express, is it?

A Frankly, yes. I feel that since none of our present employees, or essentially none of our present employees, are going to be harmed in any way, that we should not be forced to take men in off the street in years to come. I think the company in its negotiations has been entirely fair toward the firemen.

Q I have not suggested any unfairness to you. I was just asking you whether you think it is fair to accuse Mr. Gamble and his committee of being unreasonable, unfair and misleading their members? That is a pretty strong suggestion, Mr. Crump.

A It is a fairly strong opinion on my part and it is quite possible they may have just as strong opinions of me.

Q I do not know whether to agree or disagree with you, but perhaps we can leave the subject at this point.

1. *Phragmites* 2. *Scirpus* 3. *Eleocharis*

N.R.Crump .

Now, about the development of passenger traffic and RDC's Mr. Crump, I believe you explained to the Commission in answer to a question asked by Mr. Sinclair that you will always have to have what I might call "ordinary passenger trains" pulled by locomotives. The question which I had asked Mr. Emerson and which I would like your comment on did not suggest that all locomotive driven passenger trains would disappear. What I think may be relevant is your opinion as to whether you are likely to have in the next few years an increase in multiple unit self-propelled passenger trains without locomotives in the normal sense and therefore a corresponding decrease in the number of ordinary passenger trains? Would that be a fair statement?

A For the reasons I explained on Friday I should think there will be some increase in the use of RDC cars, as we call them, in the future. Just how great that increase will be, of course, is open to some conjecture because we do not know how rapidly we can advance in that field. Certainly the RDC's that we have in service so far have helped somewhat toward reducing the extremely heavy deficit that we encounter in our passenger operations and anything that can be done to decrease such deficits, I think we must pursue.

Q Yes, and therefore my suggestion to you that

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wherever it is, as it were, physically possible and from the point of view of service, feasible, you will replace the ordinary passenger locomotive driven train by RDC's. Would that be a correct statement?

A Yes, I think it would.

Q Now, I have only one or two short questions on your economic position. You referred to the Trans Canada pipe line and the St.Lawrence Seaway as being immediate threats of competition for the railway transportation, right?

A Yes, I regard them as such.

Q As the president of a very great Canadian corporation, Mr. Crump, I suppose you would agree that the Trans-Canada pipe line and the St.Lawrence Seaway both are likely to lead to considerable economic expansion?

A Yes. My attitude on the St. Lawrence Seaway for some years, as opposed to that of some of my American friends, has been that if the seaway is good for Canada, eventually it will be good for the Canadian Pacific Railway.

Q Yes. Mr.Crump, that is exactly what I thought, and your fear of the competition of the seaway and the pipe line is not really, is it, a fear of the loss of traffic which you have, so much as a fear that you may not get the proportion of new traffic that you think you are entitled to?

A Well, you are getting into a very interesting facet of this question now. All of our

1. *Chlorophyll a* (Chl a) and *Chlorophyll b* (Chl b) are the two main photosynthetic pigments in green plants. They are responsible for capturing light energy and converting it into chemical energy through the process of photosynthesis.

studies indicate that the St.Lawrence waterway on which our study has been completed is going to have very serious effects on our revenue for quite a number of years. How long that period will be, we are not sure. You must realize that in order to obtain any benefits from the seaway there must be a large development of industry as a result of the hydroelectric power developed by the seaway.

Q Yes?

A And that is going to take a number of years. However, looking at the immediate prospect, it would appear that there may be about \$35 million worth of freight traffic -- \$35 million per year of freight traffic -- susceptible to this competition of the seaway. How much of that we will lose, no one can foretell at this time.

Concerning the Trans-Canada pipe line on which our studies have not progressed to a stage where I can put any dollar sign even on the traffic which might be susceptible, nevertheless it looks to me as if that is going to be a very serious competitor particularly as it is the opinion of some prominent authorities in this country that the greatest single advance in the use of energy in this country in the next 25 years will be natural gas as opposed to the rather

N.R.Crump

loose feeling of some people that it is nuclear energy and just what that is going to do to us as yet we not fully assessed.

Q On the whole therefore, Mr. Crump, is it not right to say that subject to any general economic calamity which we all hope will not occur, the future of the Canadian Pacific Railway is pretty bright?

A Well, you spoke of the proportion of the country's transportation and I would like to draw to your attention the fact that over the past ten years the proportion of the nation's transportation handled by the railways of this country has dropped from 74 per cent to 56 per cent.

Q Yes, accepting those figures for the moment without questioning them in any way, Mr. Crump, all that means is what you said the other day, is it not, from a position of near monopoly, the railway now has to compete; that is the basis of your complaint, is it?

A That we are in a highly competitive industry.

Q And you would like to go back to the monopoly days of railway transportation, would you?

A Well, perhaps that would make our lot much easier, but I doubt whether we can turn the clock back.

Q And so do I; this rate of return of 3.15 per cent, I think it was, on net investment, Mr. Crump, on the expense side you included taxes and also included, did you not, a very large depreciation reserve before you arrived at your 3.15 per cent?

A Yes, the return is calculated on the normal accounting basis on which all firms calculate it.

Q I have not your 1956 report with me, but your depreciation reserve now has reached a pretty large figure, am I not right?

A Yes, that is right.

Q What is it, do you remember?

A Subject to confirmation, I would think it was in the neighbourhood of \$850 million, something like that.

Q Something pretty close to \$1,000 million,

and I suppose your depreciation reserve in 1956 was considerably increased by the capital outlay on diesels or as the result of it, I should have said?

A There is an increase in the portion of depreciation allowed by the Board of Transport Commissioners. At the same time, since we are speaking of depreciation, you must bear in mind that depreciation, in accounting practice, universally is on an original cost basis and that, in the past few years, for instance, we have been scrapping box cars that cost us \$1,050 and we are now having to pay \$8,500 for one to replace it. Depreciation does not take care of that.

THE CHAIRMAN: Depreciation is not the same as undistributed profits?

THE WITNESS: No, it is not.

MR. LEWIS: Sometimes it serves a useful purpose in calculating taxes because depreciation is a cost of doing business.

THE WITNESS: Depreciation is a cost of doing business, certainly in our case. May I say there are some 200 pages in the new uniform system of railway accounting, as to how we shall keep our accounts, and that has only been in effect for slightly over a year. But even our depreciation rates are controlled by the Board of Transport Commissioners.

BY MR. LEWIS:

Q That leads me to the final question on your economic situation, this control business. I was involved, Mr. Crump, in another railway matter some time ago, and am I right in my memory that if the Crowsnest Pass rates were changed so as to yield you, if I remember correctly, a cent per ton mile instead of half a cent per ton mile -- are those about the figures?

A Yes, doubling of the present rate.

Q Yes, if that were possible or desirable, then you would pretty near double, would you not, your net earnings say for 1956; you would pretty nearly have doubled your net earnings for 1956?

A No, it would not double. It might be, as I recall the figure, somewhere between 60 per cent and 70 per cent, something of that order.

Q Sixty per cent or 70 per cent higher than it was?

A Yes.

Q I do not want you to understand that, either as counsel for the Brotherhood or as a Canadian citizen, I am suggesting that the Crowsnest Pass rates should be raised; that is not an issue here.

HON. MR. McLAURIN: Not in an election year.

MR. LEWIS: Or any other year, sir.

MR. SINCLAIR: Wait a minute; my friend is going to live a long time.

THE WITNESS: If I might interject just for a moment there, very few people realize what the statutory rates do to us. I can put it very succinctly by saying that we do 25 per cent to 30 per cent of our work in freight for 8 per cent to 9 per cent of our revenue.

BY MR. LEWIS:

Q After the comments that have been passed, what my point was directed to, Mr. Crump, that apparently the Canadian people and parliament consider that the needs of the Canadian economy are such that the Canadian Pacific has to be satisfied with 3.15 per cent of return on its investment; is that not one way of interpreting the situation with your grain experience?

A In so far as statutory rates are concerned, we are in the hands of parliament.

Q I come next, before dealing with the proposal you made the other day, Mr. Crump, I come next to this effect of age on diesels which has been worrying me, more out of curiosity than out of its relevance to the discussion.

THE CHAIRMAN: Could we stick to the relevant issues?

BY MR. LEWIS:

Q Right, sir. I will try. As I understand your position and the position of other witnesses, you will correct me if I am wrong, your maintenance program is such that you would replace the parts of the engine as they became

uneconomic to use. Would that be about right?

A In speaking of the maintenance of replacement of parts, we hardly refer to it as uneconomic, although there is that factor. Our preventive maintenance is designed to replace parts before they reach the point of giving any trouble. The diesel locomotive is constructed in such a manner, differently from a steam locomotive, that part replacement can be carried out in a relatively simple manner and that, as time goes on, perhaps there will not be much left of that diesel engine. but the engine block, because of the wear, and moving parts are replaced on a time or mileage schedule.

Q But this is the only point, until you replace a given part it continues to go down?

A Inevitably.

Q And to that extent it will require, until it is replaced, that part as it continues to go down will require more attention from the railway maintenance and from the engine crew, is that not right?

A No, I do not agree with that. I think perhaps I am in realm of engineering here, but we regard preventive maintenance as a program carried out to prevent any trouble developing. We have examples available where that type of maintenance must be carried out because you cannot have any trouble. You just simply cannot have trouble, and we have learned much

from the lessons in the past few years in that regard.

Q So your suggestion is that as the age of a part, an engine being a complex of parts, that the age of those parts in the engine, as the parts go down, would have no effect on the attention that the engine or parts required, Mr. Crump?

A I do not think the age of those parts would have any effect. Of course, when you are dealing with any mechanical matter it is subject to perhaps failure. I have never seen any mechanical device that has been made or designed and manufactured to the point of perfection. But if our maintenance schedules are right, then that normal wear that takes place will be overtaken by replacement before trouble develops.

Q That is your hope?

A That is the basis on which we plan.

Q I want to turn your attention to Exhibit 198, the proposal which Mr. Sinclair, with you in the witness stand, read into the record. Now, just to make sure that the Brotherhood and everybody else understands the first part, as I understand No. 1, the firemen with seniority dating prior to April 1, 1953 -- am I right when I say that I understand that to mean that all the firemen now on diesels with seniority prior to April 1, 1953, will continue to work

on diesels or steam, as the case may be, until such time as they are retired or pass away or are taken into passenger firemen ranks or are stepped up as engineers?

A That is correct, of course, provided that they stand for work and if their seniority entitles them to work. We have some fluctuations operating in this country, up and down, sometimes from month to month or season to season. If they stand for work in the regular course of events, then they will be retained as firemen.

Q Well, this "stand for work"; these are the things that sometimes lead to a misunderstanding. This requirement that they stand for work is no different from the requirement now?

A Precisely the same.

Q If they are called to work they have to attend to their duties?

A What I am trying to point out is it is no different from the present situation. If seniority entitles them to an engine, then they will be on the engine.

Q My understanding of what the C.P.R. means may be put this way, knowing that it makes it sound very good. The C.P.R. proposal means that for all those with seniority prior to April 1, 1953, there will be no change whatever until such time as they are promoted, retired or pass away?

A That is correct.

THE CHAIRMAN: Just for my own enlightenment, I have revised No. 1 this way. Such firemen will have the right to work in their turn as firemen up to 3,800 miles per month in freight service or six days per week in yard service, as long as and to the extent that locomotives of a type to which firemen were previously assigned are being operated, although firemen are no longer obligatory on such locomotives. Does that carry the sense of it?

MR. LEWIS: That is what I understand the sense of it to be.

BY MR. LEWIS:

Q Now, in view of our clear understanding of Roman I, is not the first subsection of Roman II rather meaningless?

A Subsection 1 of Roman II?

Q Yes, that such firemen will have their existing seniority rights as firemen preserved. I suggest to you that in practical terms that is pretty meaningless?

A This is dealing with a different type, a different classification. March 31, 1953, is the key date there, and this refers to firemen who started after that date.

Q Yes, but what I am suggesting to you is that if all men with seniority prior to April 1, 1953, continue working until they are absorbed as passenger firemen or engineers or what not, it follows, does it not, that as the number of firemen with seniority prior to April 1, 1953, is reduced on diesel engines because some of them have gone elsewhere you are not going to replace them on those engines?

A That is right.

Q You would only then have openings for any other firemen, either as firemen on passenger diesels or as engineers?

A Yes, that would be the situation.

Q Is not that the effect?

HON. MR. McLAURIN: Or steam.

MR. LEWIS: Or steam, yes. When I said "engineers" I meant engineers on steam or diesels.

BY MR. LEWIS:

Q In that situation, Mr. Crump, I am suggesting to you that the statement about people with seniority later than March 31, 1953, retaining their existing seniority rights as firemen is in practical terms pretty meaningless, is it not?

A I do not think so. I think that should be there because if those firemen follow alternate employment they may wish to come back to engine service and this gives them that protection.

Q You said on Friday that this proposal of yours represents deferring savings totalling over, I think it was \$38 million?

A Something over \$38 million, as nearly as we can calculate it.

Q In order to calculate that you no doubt made an estimate of the number of years that the thing would be deferred, that the full implementation would be deferred?

A That is correct.

Q What was that number?

A Over the next ten years.

Q Now then, I suggest to you that over those

ten years -- is not this right, that during those ten years there could not possibly be any opening for firemen to work as firemen in the second category, namely those with seniority after March 31, 1953?

A Well, I would think that would depend on how rapidly we got rid of our steam engines. As long as we operate steam locomotives there must be firemen employed on them.

Q I am relating my comment to your estimate of ten years. You may be wrong as it may turn out to be eight years or eleven years?

A That is our estimate.

Q But assuming for the moment that your estimate is correct, for whatever time in practice it turns out to be, during the number of years that it will take to remove firemen from diesels, in line with the first part of your proposal, those having seniority prior to April 1, 1953,-- during that period of time there can surely and legitimately not be any openings for any firemen as firemen or engineers for any firemen with seniority rights after April 1, 1953; is not that so?

A Well, it depends, as I say, on whether we are able to proceed with our dieselization

program as we presently envisage it. I do not know how it will work out, but there could be some delays.

Q Let me put it another way because it will lead to something that is of some importance; if anything like this would ever transpire it would be of some importance for the people concerned to understand it. Instead of ten years, let us use X years. It does not matter because I suppose if your dieselization program is slower than you think it will be, it may take longer to reduce the number of firemen; if it is faster than you think, it will take less time?

A Less time.

Q Take X years, whatever time in practice it turns out to be, I am suggesting to you that any openings in passenger firemen service or any openings in engineer service during that X number of years will necessarily be to the people in the first category, and that no one in the second category can possibly have any chance; is not that right?

A As you outline it, I think that is the case.

Q Therefore the carrot is that the person with seniority after April 1 --

MR. SINCLAIR: That is not a word

we generally use in legal circles, although it may be used in some other circles.

THE CHAIRMAN: It may be that some other term could be used.

MR. LEWIS: I do not think it needs any translation.

MR. SINCLAIR: I do not think anyone will think, and certainly the Canadian Pacific does not think that firemen on the Canadian Pacific are donkeys. They are not.

BY THE CHAIRMAN:

Q How many steam engines are there in service today?

A We have 1,200 approximately, of which something just short of 900, I believe, are in actual service.

Q Suppose there is a vacancy tomorrow for a fireman on a steam engine, under Roman I is there anything there that would interfere with your transferring a fireman from a diesel to steam?

A Nothing at all. As a matter of fact, for instance, if we had a tremendous up-turn in traffic we would have to put more steam engines into service, and this could occur at any time, in order to carry the traffic which we could not handle by diesels and we might easily have to use many of these steam engines that are now tied up but serviceable.

Q I was thinking that you might have to contemplate, so far as this is concerned, no further purchases of diesels, that that might be a possibility, and then there would be the attrition in the firemen who are now in Class 1; would not that be so?

MR. LEWIS: My point is that that would not affect the firemen in Class 2, not even your exemption.

THE CHAIRMAN: I was just coming to that. You say that would not affect the firemen in Class 2?

BY MR. LEWIS:

Q Suppose, Mr. Crump, we take what the Chairman put to you. You now have 900 steam engines in service. Assume your proposal came into effect tomorrow and you had 1,000 steam engines in service and you took 100 of the firemen off diesels and put them on the steam engines. The result would be, would it not, that you would then have 100 diesel locomotives without firemen? You would not open those jobs to the people with seniority after April 1, 1953?

A That is right.

Q That is my point.

A That would be right.

Q So that during X years and during this --

this may be just obstinancy on my part --
this carrot to the firemen with existing
seniority, their rights would be preserved?

MR. SINCLAIR: If my friend is using
the word because of obstinancy rather than any
other purpose, I think he should stop.

MR. LEWIS: I do not think it is my
friend's place to say that nor is there any
necessity for me to do what he asks. If I may
say so, I made an innocuous statement and my
friend made the reference to donkeys.

MR. SINCLAIR: You used the word
"carrot".

MR. LEWIS: There was nothing
that could be --

THE CHAIRMAN: If you would just
address the Commission and not each other.
I think if Mr. Lewis wanted to put his
question in that form, that is a legitimate
form in which to put it. I did not think
of the word "donkeys" until you had mentioned
it.

MR. LEWIS: Neither did I.

THE CHAIRMAN: The word "carrots"
is a colloquialism which I think we all
understand and we must not be too sensitive
about these things.

BY MR. LEWIS:

Q Mr. Crump, in view of the discussion,
I am asking you whether it is not true

that No. 1 of Roman II is rather meaningless for the firemen with seniority after March 31, 1953, unless they should happen to want to go back as firemen or engineers when a vacancy occurs after all the firemen on diesels in the first category have been absorbed?

A I can agree with that, but at the same time I would think that firemen would want to have this in any agreement should an agreement be arrived at. I do not think they would strike that out.

Q I am not suggesting it should be struck out. I have a suggestion which I will put to you a little later, but I just wanted to see whether I understood it correctly.

THE CHAIRMAN: In other words, you are not objecting, assuming you are in position to object, to this paragraph. I cannot see at the moment how it does you any harm.

MR. LEWIS: I am going to make an alternative suggestion for the whole category Roman II and ask Mr. Crump about it.

BY MR. LEWIS:

Q Now I take you to subsection 3 of Roman II. Does this subsection mean that if there is no work available for a fireman during a given week or a given

month as a yardman or a trainman, that is a fireman with seniority later than March 31, 1953; if there is no work available will he be able to sit at home and receive pay for five basic days per week as a yardman or 3,000 miles per month at through freight rates as a trainman; is that what it means?

A That is precisely what it means, provided he stood for work at that time.

Q When you say "provided he stood for work" does that merely mean provided he holds himself available for work if there is work available?

A If there is work available.

BY THE CHAIRMAN:

Q I suppose you could put it another way: if he is called and he answers?

A Yes, that is part of the answer, Mr. Chairman. I think, first, that he must have been entitled to work in the normal course of events with his seniority. If traffic had fallen off to the point where he would not be entitled to work under normal events, then he would not receive the guarantee.

BY MR. SINCLAIR:

Q Which seniority would apply; it would be his seniority as fireman?

A As fireman.

Q Because as far as the yardmen or trainmen are concerned, if he started to work there tomorrow he would be right at the bottom of the list?

A He goes in at the bottom of their list.

Q He does not acquire seniority among the yardmen or trainmen except from the date at which he first becomes a yardman or trainman?

A That is right.

Q His previous seniority as a fireman does not apply to those positions?

A That is right.

Q The yardmen or trainmen would not easily stand for that?

A No.

Q Have you any such guarantee provisions for the yardmen or trainmen in your employ?

A As I recall, a set-up van is guaranteed 2,800 miles.

Q But if a trainman or yardman works on the spare board he has no guarantee at all?

A No. The spare board is adjusted normally to give 1,000 minimum miles.

Q I appreciate that, but there is no guarantee before or after the time that one is set up in a van?

A Yes.

Q There is no guarantee?

A That is right.

THE CHAIRMAN: There is no guarantee for an engineman either, is there?

MR. LEWIS: No, there is no guarantee for an engineman.

THE WITNESS: The number of men on assignment are adjusted between the local officers and the local chairmen so as to keep their mileage somewhere between the minimum and the maximum.

THE CHAIRMAN: Mr. Gossage told us that.

THE WITNESS: Yes.

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BY MR. LEWIS:

Q Now, the thing that struck me about this is that what this proposal means, does it not, Mr. Crump, is that the fireman who is given a job as a yardman or as a trainman is therefore at the bottom of the seniority list of yardmen or trainmen and am I not right that in that case he would therefore be on the spare board with other spare board yardmen and trainmen where there is a spare board? Is that right?

A It could be.

Q And the result of that would be that the fireman on the spare board would have this guarantee whether he works or not and the trainmen or yardmen on that same spare board would not? Is that right?

A Quite right.

Q Mr. Crump, do you think that is really a feasible and practical thing? Do you think the trainmen and yardmen will stand for it or that that kind of distinction is, in practical terms, possible?

A I think so because it is brought about through changing circumstances.

Q And then related to that is No. 4, is it not, Mr. Crump, that you would have a certain formula for calculating as to how many of these firemen would be entitled to the guarantee and if the number should be less

than the number of firemen in this category in a seniority district, then some people would and some people would not get that guarantee?

A Yes. There is no difference from the present practice in that respect, or the present result, shall I say.

Q Mr. Chairman, I must say that this is without in the slightest degree being understood as saying that the Brotherhood is ready to contemplate the removal of helpers from diesels and to consider the alternative proposal, but I am wondering whether, subject to that qualification, it would not be more practical to have just the one proposal of category I, covering all the firemen with seniority prior to a year ago instead of making this distinction between those with seniority prior to April 1, 1952 and those with seniority after that date.

THE CHAIRMAN: Without any guarantee.

MR. LEWIS: Without any guarantee, just all continuous, with the firemen to be promoted up and so on. Would not that be a neater way?

THE CHAIRMAN: That is a new suggestion. The witness may --

MR. LEWIS: He may not want to answer it. He may not feel that he desires to answer it. I appreciate that.

THE WITNESS: Well, I would like to

think about that a bit but at first blush I would say that you are asking the company to defer some of the savings that are possible immediately.

BY MR. LEWIS:

Q I should add to what I am suggesting that it undoubtedly would mean that the X dollars you told us would be deferred already would be increased to X plus Y, whatever Y might be.

A Would be increased by Y amount.

Q And you could not, without giving it some thought, answer that question now?

A No, I would like to think that over, if I may.

MR. SINCLAIR: We will supply to the Commission an estimate of what Y is and to my friend.

MR. LEWIS: Right. With that, Mr. Chairman, that is all the questions I have of Mr. Crump.

THE CHAIRMAN: Any re-examination?

MR. SINCLAIR: Yes.

BY MR. SINCLAIR:

Q Mr. Crump, my friend put certain questions to you about the Crowsnest rates and I think your answer was that if the rates were doubled that would increase our net by 60 per cent, I think your figure was. Were you thinking after taxes? Our net after taxes would be increased by what percentage?

A You are right.

Q I think we reverse it, do we not?

A There is the matter of income tax in there that I had not looked at.

Q And the increase would be substantially less than that after taxes?

A Roughly half of whatever the increase was.

Q The increase in the net would be something like 50 per cent of what the increase of the gross would be that you had in mind?

A Roughly, yes.

Q Dealing with the 1948 situation, Mr. Lewis dealt with the letter from Mr. Walton and yourself to Mr. Mattingley who was then occupying the position that is now occupied by Mr. Gamble. He was head of the firemen's union in Canada. At that time do you recall whether the firemen's union was demanding a watching rule and other things that were in effect in the United States as well as the matters that Mr. Lewis has been referring to?

MR. LEWIS: That is right.

MR. SINCLAIR: My friend says they were.

THE WITNESS: As I recall, they were.

BY MR. SINCLAIR:

Q And these various other matters which **they** had put forward during the proceedings that were in progress in the United States and which had been completed in favour of the

firemen's union in the United States, were they proposing them at that time?

A Yes, they were.

Q And they were not acceded to by you?

A No.

Q We have had evidence here, Mr. Crump, about the more favourable treatment that you were able to secure in regard to the 90,000 pounds weight than was secured in the United States which followed from the program of attrition from 1937 to the present time. There has been no attrition in our situation in regard to giving further assignments to firemen on diesel power?

A No.

Q In regard to 1956, do you know, Mr. Crump, whether the attitude of the firemen's union, when this proposal was first put before them, was one of willingness to discuss it or did they take a stand and say that under no circumstances would they discuss it and refuse even to consider it in any way? Do you know about the position? What was the position?

A I was informed by my personnel officer that there was no discussion on it. They were adamant that the matter would not be discussed.

Q And do you know whether they even refused to sit down if the company would -- did they threaten to withdraw completely unless the

company withdrew its proposal?

A That was my information.

Q Do you know whether they made a similar threat during the conciliation board, that unless this proposal was withdrawn and the hearings were hurried up they would withdraw from the conciliation board?

2) A Yes.

Q Now, with regard to the firemen on the railway, when you were dealing with this question did any firemen tell you or were you informed that firemen working for the Canadian Pacific had said that they did not understand the Canadian Pacific proposal before the work stoppage -- "strike" is the word I used, Mr. Crump -- before the strike?

A Well, I did not discuss that directly with any fireman myself but I had been informed that that was the case.

MR. SINCLAIR: We will supply the figure for the formula X plus Y referred to by Mr. Lewis. That is all I have. Thank you.

BY MR. LEWIS:

Q I have one question arising out of what Mr. Sinclair asked you. I understood you agreed that the Brotherhood said it would not discuss anything unless you withdrew your proposal to remove helpers. Is that right?

A So I was informed.

Q And were you also informed that your

committee's position was that they were not prepared to discuss anything else before the negotiating teams unless the removal of diesel helpers was the first question decided?

A Was discussed, yes.

Q And on this question as to some firemen not understanding what the C.P.R. proposal was, Mr. Crump, do you know whether your railway, either on a system basis or on a local basis, took steps to make sure that your proposal was in the hands of the firemen individually in some way?

A Well, our officers were familiar and since the proposal had been given to the negotiating committee of the union we naturally assumed that the proposal was transmitted by the committee to all their members.

Q In answer to Mr. Sinclair and in answer to me you were talking about the proposal following the board of conciliation report, were you?

A That is right, the proposal following the board of conciliation report, yes.

Q Which would be towards the end of December, 1956?

A Somewhere in about there.

Q And your personal statement was -- was it not by you personally -- that the railway was ready to accept Judge Anderson's suggestions for the transition period?

A Yes sir, I agreed on behalf of the company to accept it.

Q And you don't know whether either the Brotherhood or the railway took steps and, if so, what steps to bring that proposal to the attention of your firemen?

A Well, we did a lot of work to publicize that at the time so that everyone would be aware of the issues, but as to whether the firemen received the complete details through their committee I don't know.

Q Right. That is all, Mr. Crump.

THE CHAIRMAN: Thank you, Mr. Crump.

That completes your witnesses?

MR. SINCLAIR: It does.

THE CHAIRMAN: I guess we will have a break now.

--- Recess.

AFTER RECESS

MR. LEWIS: Mr. Chairman, my first witness is Mr. Alexander Campbell Doull.

ALEXANDER CAMPBELL DOULL, Sworn

THE CHAIRMAN: I think that name is pronounced "Doull" in Nova Scotia?

THE WITNESS: Yes, they do pronounce it differently, sir.

MR. SINCLAIR: I wonder, Mr. Lewis, if you remember the arrangement we discussed when we first started. The suggestion was made that we crisscross the witnesses so that the witness would be forced to speak up. I agreed to put my witnesses in the witness box on your side of the court room and you agreed to put yours in the witness box on this side of the room which may assist with the poor acoustics here.

MR. LEWIS: That would be perfectly agreeable to me. I had forgotten that we had made that arrangement.

MR. SINCLAIR: Yes, it has to be a fifty-fifty proposition.

THE CHAIRMAN: When I first saw this court room I wondered why there were two witness boxes and now I know.

MR. SINCLAIR: That is the usual practice.

A.C.Doull

(The witness transfers to other witness box)

BY MR. LEWIS:

Q Mr. Doull, you are now an engineer in freight pool service, out of Moose Jaw, right?

A Yes sir.

Q And you started with the Canadian Pacific Railway some time in the late summer of 1923 as a wiper at Regina?

A Yes, August 23, 1923.

Q And then you were promoted to fireman a few months later in the same year?

A November 9.

Q November, 1923?

A Yes.

Q And for some years after that you were a fireman on the spareboard and worked either as a fireman or as a wiper, as your seniority permitted?

A Yes.

Q And then for some periods on three occasions during the years between 1923 and 1937 you acted as the clerk to the locomotive foreman at what place?

A That was at Regina. I relieved the clerk on three different occasions.

Q And I suppose you had some lay-offs during the thirties as a result of lack of work?

A Yes, sir, on and off.

Q And then you told me that you were in the reserve navy and were called into active naval service on September 3, 1939?

A Oh, that is not quite correct. I served with the navy practically continuously from the late fall in 1937. That date I gave you happened to be when I had reported for work at the Canadian Pacific Railway having been called in as a fireman and was immediately recalled on that date.

Q By the navy?

A Yes.

Q And then you were in active service and were discharged from active service January 26, 1946?

A Yes sir.

Q And you went back on the payroll of the Canadian Pacific Railway as a fireman on March 6, 1946?

A Yes sir.

Q And then you informed me that you had seniority then to go in fireman-passenger service but that you chose to stay in freight service for some months?

A During that year there were times when I stood for passenger service but due to the length of time I had been away from the railway I considered that I should stay in freight service to gain enough experience to

take employment as an engineer which I was fairly well due for at that time.

Q And during the summer of that year you wrote the three sets of mechanical examinations, took your oral examinations and wrote your "A" Rule Book and became qualified as an engineer?

A Yes.

MR. SINCLAIR: In what year?

MR. LEWIS: 1946.

BY MR. LEWIS:

Q And until about August or September 1947 -- you were to check the date and you have not been able to do that, I gather?

A No.

Q And until about August or September 1947 you took odd trips as an engineer but continued as fireman most of the time?

A That is right.

Q But in the late summer of 1947 you were set up as an engineer and you worked on the engineer spareboard in Moose Jaw and Regina?

A That is right, and in regular freight service on the Assiniboia-Shaunavon subdivision . I was down there for a considerable time in regular freight service.

Q And then you were made Rules Inspector on April 12, 1951 and continued as Rules Inspector until August 30, 1951?

A The date of April 12 is the date I was advised of it. I would not say that was actually the

A.C.Doull

date that would be shown on the records but it was in that vicinity.

Q And then immediately after you worked as Rules Inspector on August 13, 1951 you were made a Road Foreman of Engines?

A Yes.

Q And you continued in the position of Road Foreman of Engines until June 15, 1955?

A That is right.

Q And then, from June '15, 1955, you went back as engineer, is that right?

A Yes, sir.

Q Why did you do that, what happened to your position as Road Foreman of Engines?

A Nothing, I resigned, sir.

Q You resigned and preferred to go back as an engineer?

A Yes.

Q You have been employed as engineer regularly ever since?

A Yes, sir.

Q Now, what has your record been with the Canadian Pacific Railway in terms of demerit marks and discipline?

A To the best of my recollection I received five demerit marks while working as a hostler about 1925 at Regina, and have not had any more since then.

Q No other demerit marks since then?

A No.

Q Now, the first thing, Mr. Doull, I should like to deal with and get out of the way is Exhibit 48 which I filed during the cross-examination of one of the company witnesses and which consisted of a loose-leaf booklet containing various pages of the Uniform Code of Operating Rules and some typed material. Would you inform the Commission as to where -- I informed the Commission that this book

which forms this exhibit was in your possession. Would you tell the Commission about it, please?

A Yes, sir. The book was made up by myself for convenience in referring to the rules. The notes from which it was transcribed into that form were notes which were given to me in type-written form at the time we were having our examinations in the classroom for classes which had been held for Rule Instructors at Montreal. It was my assumption that they had been issued on the authority of the Chief Rule Instructor. That was the opinion I had.

Q Well, how were they given to you in Montreal -- that would be in 1951?

A That was in 1951. Well, they were just passed, I do not recollect whether it was a clerk that handed them to me or one of the other student Rule Instructors who quite often helped out with things like that; that was just what it was. I took the notes and started studying them, put them away and on my return to Moose Jaw made them up in that form.

Q When you say "made them up", what do you mean?

A Transcribed them into that form from the big sheets on which they were issued. They were on legal size paper.

Q And you typed them out?

A I had them typed out. I did not type them.

Q Did you, yourself, take any notes?

A Yes, I took notes. The classes had been more or less overcrowded due to having more instructors come in than was originally intended. We were crowded together so it was difficult to write. I did take notes in my own book which is over there at the end of your table.

Q The notes as typed up in Exhibit 48, did they have anything to do with the notes which you, yourself, took?

A No, sir.

Q Is this the notebook of your own notes?

A Yes, sir, that is the notebook of my own notes. As you will see, the writing was very bad because we were elbow to elbow.

THE CHAIRMAN: In all note books of that kind, the writing is bad.

MR. LEWIS: I have not, as you know, sir, made very much use of Exhibit 48, but there was a question as to its identification so I put these questions to the witness to identify that exhibit.

THE CHAIRMAN: Well, might I ask if there is anything -- I do not know how to describe it -- in these interleaved pages that is important for us to have in mind, or are you just explaining the presence of those pages?

MR. LEWIS: Yes. I referred to one, as I recall it, but I do not for the moment recall

which, of the explanations in that. I do not at the moment recall whether there is any controversy about it. I am not sure.

THE CHAIRMAN: If there is any controversy we should not discover it when you gentlemen are arguing this case. It should be dealt with now as a matter of evidence.

MR. LEWIS: Since there was some question raised about where these notes came from, I personally do not intend to make use of them, and also since the witness is not able to say that Mr. Raines gave them to him, I do not intend to make use of them.

MR. SINCLAIR: I would have cross-examined rather extensively on it.

THE CHAIRMAN: But now you do not need to.

MR. SINCLAIR: If the exhibit is withdrawn.

THE CHAIRMAN: Mr. Lewis is not withdrawing the exhibit, as I understand it. He just says he does not intend to make any use of it any more than he makes of Exhibit 27, which is the red book, am I right in that?

MR. LEWIS: That is right.

MR. SINCLAIR: I take it, then, I do not have to concern myself with what I might call the errors that are in the interleaved sheets.

THE CHAIRMAN: I would take that, too.

MR. LEWIS: I do not know whether

there are any errors, but my friend does not need to concern himself with the interleaved sheets.

THE CHAIRMAN: Thank you.

BY MR. LEWIS:

Q Now, Mr. Doull, you are also now a local chairman of the Brotherhood of Locomotive Engineers at Moose Jaw?

A Yes, sir.

Q Did you hold office in the Brotherhood of Locomotive Engineers at any previous time?

A I was elected a local chairman in 1949 and held it until my appointment as Road Foreman of Engines, when I resigned.

Q You are not, you told me, an officer in the Brotherhood of Locomotive Firemen and Enginemen?

A No, sir.

THE CHAIRMAN: That is the international organization, is that what you mean?

MR. LEWIS: No.

THE CHAIRMAN: Oh, yes, I see.

MR. LEWIS: It is just that there is a difference between the Engineers' Brotherhood and the Firemen's Brotherhood. He is local chairman of the Engineers' Brotherhood.

BY MR. LEWIS:

Q Have you had any experience with hand-fired coal engines?

A Yes, I have had considerable experience.

Q And stoker?

A And with stoker.

Q What about oil engines?

A Well, my experience firing oil was all while I was Road Foreman of Engines. I had to do considerable of it at that time.

Q Did you ever run on an oil burner?

A Yes, sir.

Q As engineer?

A Yes, sir.

Q Have you had any experience with diesels?

A Yes, I have had some experience with diesels.

Q As a helper or as an engineer?

A As an engineer.

Q And I suppose as Road Foreman?

A And as Road Foreman of Engines, yes, sir.

Q Could you, Mr. Doull, indicate which hand-fired locomotives, which class of hand-fired locomotives you fired or ran as engineer?

A Well, when I started we did have two or three 100 types which I fired. They were A Class engines.

Q You had them at that time?

A We had them working out of Regina, yes, sir.

Q Did you fire D-4's?

A Yes, I fired the D-4, the 400 Class.

Q And the D-6?

A I fired one or two of them and I have run on one or two of them.

Q And the D-10?

A Yes, lots of them.

Q Did you fire any of the 2000 Class?

A Yes, the 2000 Class.

Q Is that the E Class?

A I believe they were designated as E Class.

Q Did you fire any G-1's?

A Just one once.

Q And the G-2?

A Yes, lots of them.

Q And the G-3?

A Yes.

Q And the G-3's you fired were hand-fired or stoker-fired?

A I fired them both as hand-fired and as stoker-fired.

Q Did you fire any N-2?

A We did have a couple of engines of the 3000 Class; they were numbered at that time, I believe, and they were in the N-2 Class or the N-4 or is it the M Class, I just forget. They were the Moguls.

Q And the P-1? Did you fire them?

A Yes, fired the P-1.

Q Did you fire them when they were hand-fired or something else?

A Hand-fired and I have fired -- no, I guess it would be as engineer since they had the oil-burning P-1.

Q You ran the P-1 as an engineer?

A Yes.

Q Did you fire the U-3?

A Yes, that is the 6200 Class.

Q Would that be hand-fired or what?

A Hand-fired.

Q And did you fire the V-1?

A No, but I have run them; that is the 6900.

Q That is the 6800?

A Oh, I fired a 6800, yes.

Q The last two I mentioned, are they yard or road?

A Yard engines.

Q And the V-4, that is the 6900?

A I have run them. I never fired them.

Q Again in the yard?

A In the yard.

Q When did you work in the yard, by the way?

A Well, when I was working on the spare board we would get odd trips in the yard, but I never worked a yard engine from around about August, 1948, up until November 16, 1956, when I was put in the yard for medical reasons.

Q You did not fire a yard engine between 1948 and November, 1956?

A I was an engineer at the time. I did not fire or run on a yard engine.

Q In 1956, did you run on yard engines?

A I ran on yard engines from November, 1956, to January 1, 1957, on diesel yard engines.

Q For medical reasons?

A Yes.

Q Now, on the oil-fired engines, you have told us, I think, you ran on the N-2 and the P-1

as engineer, did you?

A I have run the P-1 as engineer and I said I fired one or two of the N-2 type.

Q And the P-1, they were an oil engine, too, were they not?

A We have them both stoker and oil.

Q Did you have anything to do with them?

A I have run them.

Q Pardon?

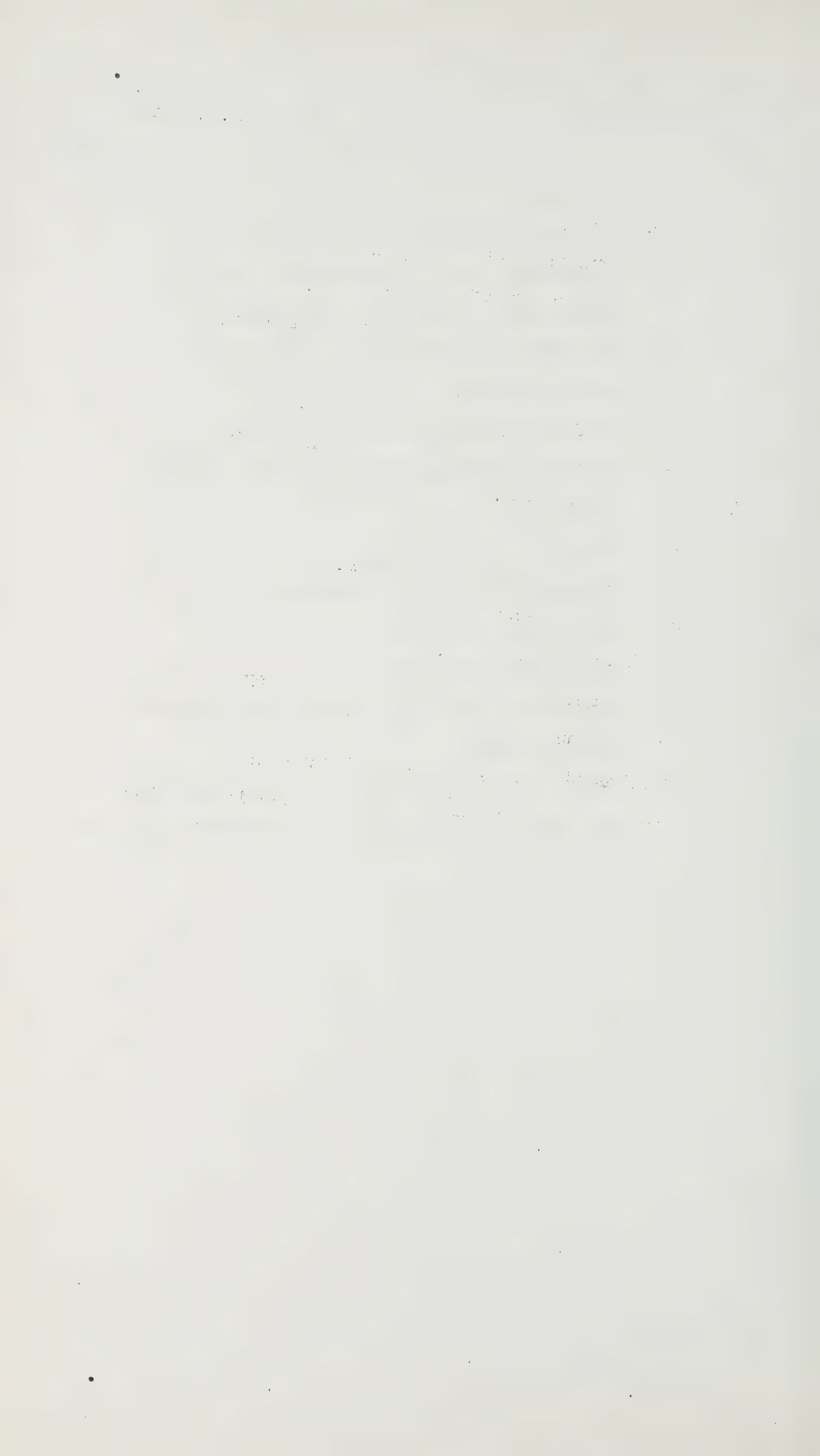
A I worked on them as engineer.

Q Both stoker and oil?

A Both stoker and oil.

Q What about the R-3, did you have anything to do with them?

A That is the 5700, I think; I have only been on them in the yard as an engineer in the yard.



Q The S-2?

A The 5800.

Q They were oil-burning, were they not?

A That is the Santa Fe type. I do not think I ever actually worked on one of them.

Q And the T-1?

A Yes, I worked on them.

Q The 5900. Then as to diesels, can you recall what engines you dealt with?

A You mean by series number?

Q Yes.

A Series 1400; series 4000; then the 84's to 87's, or I should say the 86's, as the 87's are just coming out now. I have not worked since; I only ran one yard engine and that was the 7000 class.

Q Have you run the 8900, that is the Trainmaster?

A The 8900.

Q The 1400 and the 4000; is that what you mentioned there; they are car body types?

A Yes, sir.

Q From the 8400 to the 8600 and 8900, they are road switchers?

A Road switcher type.

THE CHAIRMAN: The 8900 is the Trainmaster.

MR. LEWIS: The 8900 is the Train-master road switcher type.

BY MR. LEWIS:

Q When you hand-fired a coal engine, Mr. Doull, would you inform the Commission as to your recollection of the time you spent on the deck in performing your duties of firing a hand-fired engine?

A Well, all I can do is give it from recollection and make an estimate and figure out the time as I never tried to keep any record of it. But I would estimate that for all the time over a subdivision and the average of engines you might be there up to 30 per cent.

Q Just to give a little more detail, Mr. Doull. How often would you put in a fire, for example?

A Well, it would vary; it varies with the time and distance. That is, the length of time between fires on a slow up-hill pull would be much longer than it would be on the level pulling at a faster speed. While the time would be shorter on the level pulling the distance travelled would be considerably further than the distance travelled going up hill. There is quite a variation between it and you average it out, but in considering it and from

what I have seen recently, when we handled hand-fired engines I think 30 per cent is a fairly good estimate, 30 per cent to 35 per cent at the outside.

Q How long would one firing take, to put in a fire; how long would that take?

A Well, if you did not get behind in your firing due to taking signals or anything like that, that is if you kept a properly built-up fire, you would generally take from 40 seconds to a minute.

Q Generally speaking, how long would the interval be between fires? You have said that there would be a longer interval going up hill and a shorter interval going on the flat, but what would that interval be?

A I suppose you would go say two to three minutes going up hill, or probably more depending exactly on the amount of speed, whereas running on the road you would go down maybe after two minutes, you would have to get down, but you would have travelled a lot further. There would be more action on your fire and consequently it would be burning faster. It is from estimating from those figures more or less that I make my estimate of 30 per cent.

Q The Commission has heard about building up a fire, making the preparatories when you take out a hand-fired engine; what would you say about that?

A Well, actually in firing you build a good fire, you build a good fire base while you are standing still, whether it is at the terminal in preparatory time or whether it is a stop on the road. That is when you would check over your fire and by building up a proper base it reduces the amount of firing that has to be done when you are running.

In other words, if you started out without that base built up a man might be down on the deck shovelling coal for ten minutes to try to catch up because it is being burned while he is trying to build up that base, but with a properly built up base it is just very light firing at regular intervals.

Q When you were Road Foreman of Engines did you have any occasion to instruct or assist firemen in handling hand-fired coal engines?

A Well, not exactly. I have fired them while I was Road Foreman of Engines but more or less for the pleasure of it.

Q You did not have occasion, you say, to instruct any firemen as to how to do their job?

A No. The firemen were instructed on the actual firing by student trips. Quite often we could assist a fireman by showing how he could improve his firing, but he would actually be qualified to fire an engine by himself before I ever saw him as Road Foreman of Engines.

Q On a stoker-fired engine, what would your duties be as fireman with regard to the deck?

A While running on the road, you mean?

Q Yes.

A The same thing applies to a stoker-engine, having a proper fire bed. The average man, provided he encounters no trouble, will go over the road and will probably never go down on the deck while he is running.

Q You say provided he encounters no trouble. What kind of trouble might he encounter?

A Well, he could encounter trouble due to an obstruction in his stoker or something like that, or he might have started out with his stoker improperly regulated and got banks in his fire. If he got that he would have to spend a little time on the deck correcting his fire to burn away the banks. That

would be effective, it would show by your starting to lose steam.

Q In the case of oil-fired engines, what duties would the fireman have away from his firing controls?

A Away from the firing controls he would have at intervals to put sand through the tubes to clear the deposits that were left in the tubes and keep them clean.

Q At what intervals would that be? And how long would each sanding take?

A Well, the sanding would probably be done five times over a 120-mile subdivision, and probably four to five scoops of sand. The time it would take would be maybe a minute or two. It takes a lot longer to put sand in an oil-burner than it does to start shovelling in a whole bunch of coal.

BY THE CHAIRMAN:

Q That goes right into the fire-box?

A It is inserted in a hole above the fire door.

BY MR. LEWIS:

Q In your experience as fireman on these various types of steam engine and as engineer on these various types of steam engine, what was your practice with regard to when you would put in a

fire in relation to lookout?

A Well, we were always taught as firemen to regulate our firing on the road to be in position to observe signals as they came up, and the same thing as engineers, we always insisted that the fireman call in the signals as he sees them and calls out his indication and when possible, passing through towns and so on, that he should be on his seat. That is where sometimes a fireman would get what we always referred to as getting a fire behind, and then they have to work a little harder to catch up after he was in position to do so.

Q What do you mean by getting a fire behind?

A Well, due to having been on his seat to watch for signals as a lookout he could go much longer without affecting the steam in the engine than he would normally go in putting in a fire. In other words, you have that bed of fire. However by failing to keep up his regular fire he would probably have to put in much more fire the next time and straighten up his fire again.

Q Did that happen?

A It would not affect the amount of time

being on the deck at all.

Q Did that happen to you, getting a fire behind for that reason?

A I guess it happens to every fireman. They get a fire behind and they have to catch up.

Q Now, this seeing signal indications and calling them and so on, Mr. Doull, what was the practice with regard to calling or acknowledging signals?

A Well, we always looked for the signals and when we heard them called we might be on the deck firing at the time, but with your scoop still in your hand you would straighten out, lean out the window and see the signal and answer the signal call.

Q Do you have the practice of answering a signal call without knowing what the signal indication was?

A No, sir, but at places we run into the situation where a signal can only be seen on the one side. It is usual, let us say if the engineer calls the signal for the fireman and trainman to answer him, in other words to verify what they heard from him. Then when the signal comes in their range of vision they will call the signal as they see it. The actual answer is that on certain

occasions the crew on one side or the other can see a signal, but it is always repeated when it does come in your sight.

Q If you call it when it comes into your sight was the engineer expected then to acknowledge your having called it?

A Yes, sir.

BY THE CHAIRMAN:

Q Is the engineer the first man to see and call these signals?

A As a rule, except where the curvature is to the left and then the left side will see it first. The same will apply then, the fireman or trainman calls the signal and the engineer without seeing it will acknowledge that they have called "clear" or whatever it is, and when he sees it himself he will then call the signal.

Q There would be cases where the curvature was to the left that the engineer never sees it?

A We have places, yes.

Q Similarly when it is to the right the fireman or trainman never sees it?

A That is right.

BY MR. LEWIS:

Q Is there any rule governing the acknowledging of signal indications?

A Yes, there is a rule calling for the

crews on engines to give an indication of all signals. I think that is Rule 34.

Q Of Exhibit 27 which is the Uniform Code of Operating Rules. That is what you are referring to?

A Yes, sir.

Q Is the engine crew held responsible with regard to the signal indications?

A Yes, sir. With regard to train order signals, for instance, the whole crew would be held responsible. In the case of block signals the engine crew would have the responsibility.

Q When you use the term "engine crew" who would be included in that?

A Well, under the terms of that rule it would be the engineer, fireman and head-end trainman.

BY THE CHAIRMAN:

Q How do you interpret that rule where it says "Crews on engines must know the indication of fixed signals"? Does that mean every member of the crew?

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MR. LEWIS: Did you hear what the Chairman said?

THE WITNESS: Yes sir, that is why it is made that way. Instead of saying "engine crews" which would normally refer to the engineer and fireman, by referring to it that way as "crews on engines" it includes whoever is on the engine.

BY THE CHAIRMAN:

Q You have just said there are places where the engineman never sees or the other members of the crew never see?

A There are places to my knowledge where he would never see the train order signal from one side or the other. They are very few and are gone by without being seen by verifying -- generally making no verbal check on it.

Q Then the first sentence of that rule must mean the same as the second. The second says, "All members of engine and train crews must, when practicable, communicate to each other", so they must see?

A Yes.

BY HON. MR. MARTINEAU:

Q I suppose if the one who saw the signal and called it first had made a mistake and it was repeated by others of the crew even if they had not seen it, it might call the attention of the one who had called it to his mistake by them repeating it?

A That is right, sir. As a matter of fact, it

does a lot more than that, the repeating of it, in that for some reason repeating it verbally more or less places the indication of that signal in your mind more than just glancing at it and seeing the indication.

Q A man may have a lapse but if it is repeated immediately then it calls attention to it?

A Yes, sir.

BY THE CHAIRMAN:

Q Well, I would like to understand. You are an engineer?

A Yes, sir.

Q You are approaching a signal which you see and call to your fireman who is on the deck on a hand-fired coal engine and is putting coal into the engine. What should he do?

A Well, if this is a train order signal -- this happens with these train order signals only -- he would probably not look at that signal but would verify it the same as the engineer does by asking again, "How is that train order signal?" As far as automatic block signals which are along the track or station protection signals or others, they can always be seen, probably not until you are right on top of them, but they can always be seen by both sides at some time. One side may see them half a mile away whereas the other side won't see them until he has got up within a few feet of them.

Q In the case I have put to you, you as the engineer see this block signal and the fireman is putting coal into the boiler. What does he do?

A He would get up and look out his window and look for the indication of the signal.

Q Even if it is on the engineer's side?

A Well, all block signals are on the engineer's side, yes, sir.

Q Then he would have to put his head out the engineer's window?

A No, sir. As I say, no matter what the condition of the curvature, when you closely approach the signal they can be seen from both sides.

Q He would stop what he is doing and just watch out the engineer's window until he sees the signal go by?

A Yes, sir.

MR. LEWIS: Not from the engineer's window.

THE WITNESS: His own window.

BY THE CHAIRMAN:

Q Well, if it is on the engineer's side how does he see it out of the fireman's window.

A Because these signals are closely along the track bed, that type of signal, block signals and so on, and as you closely approach them you can always see enough of that track ahead of you to see that signal.

BY HON. MR. MARTINEAU:

Q They are quite high generally?

A Yes. The ones he might not see are only the train order signals.

BY THE CHAIRMAN:

Q Then, just one other question. Some of the witnesses who have been here have said -- I think we were given an impression a good deal wider than that -- that if they were busy firing they would not look out, would simply keep on firing and simply repeat what they heard from the engineer. What do you say about that?

A Well, it has not been my experience that that is done, sir. It may be in some territories. There is apparently quite a difference as I gather from all I have been hearing here amongst different territories on the railroad on what is the practice. All men are trained, get their training in these things by the same men, that is, as they progressively go up what some engineer in your own territory taught this fireman this fireman becoming an engineer teaches his fireman, and so the same practice will develop in any particular seniority district and there does appear to be quite a difference in different territories.

Q Evidently those witnesses have not construed rule 34 in the same way that you have?

A I would say they have not.

BY MR. LEWIS:

Q To follow up the Chairman's question, if an affair occurred as the result of the wrong signal indication being called, have you had any experience as to what is the responsibility of the members of the crew on the engine in that situation?

A I cannot say that I have run into any case of a signal being wrongly called resulting in anything in recent years that I can recall to mind.

Q As a person who was a rules instructor, what would you think was the responsibility of a fireman who at the time of the affair, if one occurred, claimed to have been on the deck putting in a fire? Would that be sufficient to absolve him from responsibility?

A Well, I don't think so, and in my recollection of other cases which I have heard of, not involving miscalling a signal, the excuse from the fireman that he was on the deck and was putting in a fire was generally criticized, that he should have been looking out at that particular point.

Q Now, when you were road foreman of engines what were your duties on the Canadian Pacific Railway?

A Well, the supervision of the engineers and firemen while on the road, and then in 1954 when they started putting a few diesels into

Saskatchewan it became more or less just a diesel instructor's job.

Q And when you were instructing with regard to the diesels whom did you instruct?

A I instructed the engineers and the firemen.

Q What kind of instruction would you give the engineer first and then we will deal with the fireman?

A Well, starting in 1954 we had to qualify the engineers in all aspects of the diesel engine and the operating and handling of trains with diesel power. We did not have to qualify the firemen in anything specific.

(2) Q Then, did you or did you not instruct the firemen in the various matters pertaining to the diesel?

A Oh yes, we instructed the firemen. The main difference in the instruction as we carried it out is that we kept records for qualifying purposes on the engineers but we did not keep records of what we had taught the firemen. Instead, when the fireman, if he should be promoted to engineer and we have to go and ride with him on a diesel we would give him one of these forms that we had had made up and ask him to fill in what he was confident of on the diesel and then teach him anything he was doubtful of that was called for in the form.

Q You say "these forms that we made up." Just

so there is no misunderstanding, what forms are you talking about?

A I am just talking about the form I personally made up for the purpose of keeping records of the instruction. It was necessary when assistant road foremen were put on due to extra diesels being used, but prior to that when I was alone I just kept my records in notebooks on each man, but then we had to have a general form that we could all use.

Q And it is a form which you made up? It was not a form provided by the company?

A I made it up.

Q What training exactly would you as road foreman of engines give firemen on these diesel engines?

A Well, do you mean in regard to what we wanted him to do?

Q Yes?

A Well, we gave, actually we gave him the same instruction as we gave the engineer with the specific detail that he himself was required to patrol and check the units.

Q When you say "he himself" you mean the fireman?

A That was specific for him but other than that we taught him just while we were teaching the engineer. We taught him everything the same.

Q And this instructing, this teaching you taught, was that done in the cab or was it done

in the cab and elsewhere? Where did you carry it on as road foreman of engines?

A Oh, in the cab and in the engineroom.

Q Did you go back into the engineroom?

A Yes, sir.

Q With the engineer?

A If I had a passed, if I had a fireman who was qualified as an engineer, depending upon where we were I would take the engineer back and show him the various things that had to be done.

Q You mean the fireman would take over the controls and the engineer would go back with you?

A Yes.

Q And suppose you did not have a passed fireman on the engine?

A Well, if -- in our territory we did not make many stops and especially the diesels that we had in 1954 were only being handled on more or less special schedules with no stops between, so it was very hard to take the engineer back if we did not have a passed fireman and yet we were being constantly pushed to qualify these men, so I would discuss something with the engineer in the cab, show it to the fireman and have the fireman take the engineer back and show him what I had just illustrated to him while I ran the engine myself.

Q And you said that as far as the fireman himself was concerned you instructed him how to patrol the unit, and what else was it? Did

you teach him anything else?

A We taught him as we went along the same things we were teaching the engineer, the resetting of protective devices and general knowledge of the cooling system, the fuel system and the gauges that had to be checked to know the condition of his engine.

THE CHAIRMAN: I think we will adjourn now, Mr. Lewis.

--- The Commission adjourned at 12.30 p.m. until 2 p.m.

Monday,
May 13, 1957

AFTERNOON SESSION

— The Commission resumed at 2.00 p.m.

Mr. A.C.DOULL, Recalled

BY MR. LEWIS:

Q Mr. Doull, at the adjournment we were discussing what you taught the engine crew. You told us you taught the engineer and the fireman and I think you said you taught them about the protective devices. Was there anything else you told the fireman and the engineer about?

A Well, I have the form here that I made up myself for use in keeping a record of what was taught them and it contains 53 notations on it or sections dealing with two different types of diesel units. I do not know whether you want me to mention them?

Q Well, use your own judgment as to which of those might be of particular interest. I do not know if you need name all 53.

A Well, we taught them preparatory general inspection of the engine, and there are two or three just on train handling and dynamic braking; the diesel engine controls and then the various protective devices, cooling system with the troubles that could arise from it and the manual operation of it and how to add water and so on.

Q The manual operation of what?

A Well, shutters, but in the case of the Alco manual operation of fans, also. This form is for both Alco and General Motors diesels. Fuel systems and the troubles that could arise out of that. Also, control air, how to adjust it; air trains and generally on the air brake equipment.

Q What is this "control air"?

A Control air is air reduced from your main reservoir pressure for the operation of certain electrical equipment on the engine and the general knowledge of the electrical system in regards to fuses, switches and so on, and into the causes of one engine stopping or all engines stopping. That should be "units" actually. Failure to load, alarm bells and what they would indicate and the various lights. Control of your air pumping; that is, to speed it up and so on. How to change ends of units.

Q What do you mean by "change ends of units"?

A Well, if you have two controlling units in a locomotive one at each end of it you do not turn it, you change the ends when it has to go back which we had to do for some time when they first started putting diesels in.

Q When you say, "change the end" you mean --

A The control ends.

Q You mean change the controls over from one

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end to another, is that what you mean?

A That is what I mean, yes.

BY THE CHAIRMAN:

Q I do not recall that. What kind of a unit are you speaking about?

A Well, it could be two road switchers or it could be two A units or it could be an A unit and a road switcher in two control units with a control cab on then. I am just talking about two units because that is our common operation which is just two.

Q And if these two units together were proceeding one way and were going to go the other way there is some equipment you take from one unit and put in the other, is that it?

A You do not actually take any equipment. It is just a matter of changing over your control and air brakes from one end to the other. There are certain procedures laid down on how it must be done.

To continue, there was also the caution that had to be taken in cold weather in cases of engine failure and so on. Procedure in case you had a fire or derailment on them.

Q In case you had what?

A A fire or a derailment. And manual control of the air compressor. And that is pretty well generally what it is. But, as I say,

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it is not the 53 items but just those items which I thought were of general interest. This form is itemized with 53 items whereas I gave them generally.

BY MR. LEWIS:

Q Under wider headings?

A Yes.

BY THE CHAIRMAN:

A And what period does this cover that you have just been speaking about?

A We started these forms with the introduction of diesels in Saskatchewan. A few were introduced -- it would be in March 1954, I think.

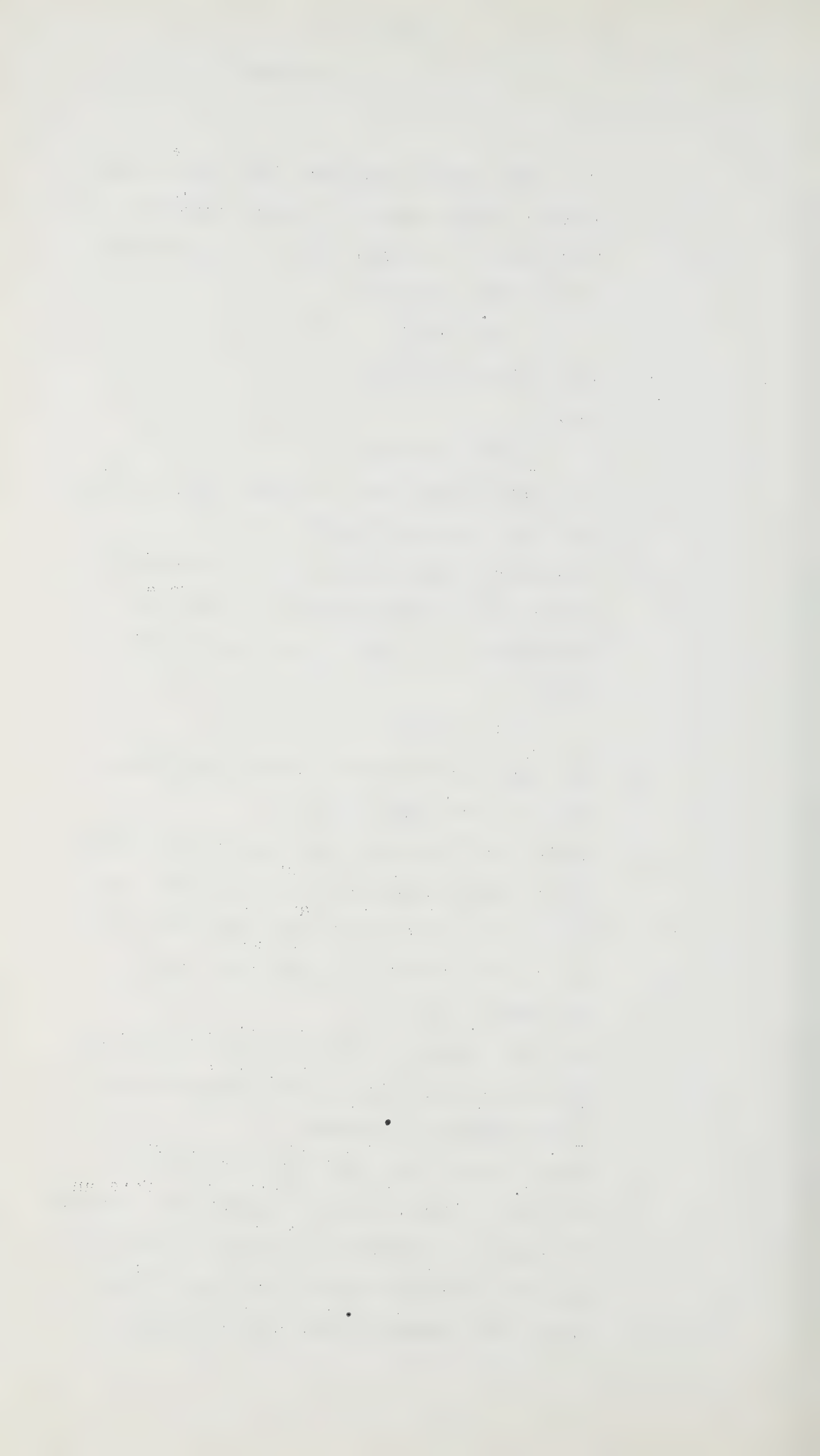
BY MR. LEWIS:

Q And what period does it cover after March, 1954, or from March 1954?

A As far as I know the road foreman of engines on the Saskatchewan district is still using the form. I could not say that definitely but I think he is. I used this form up to June 15, 1955.

Q And what training and experience in diesels had you yourself had before you were made road foreman of engines?

A None, before I was made road foreman of engines. Shortly after I became road foreman of engines I was sent to Calgary to work on a 4-unit locomotive that they had working under test between there and Revelstoke.



It was accompanied by diesel experts from the Montreal Locomotive Company.

Q Yes?

A They were carried in a coach attached to the engine all the time it was on test and I took my instructions from them strictly on Alco units and at the same time learned the road operation of them.

Q Yes?

A That is all the actual training that I had.

Q And in the course of your being road foreman of engines how much time would you have spent on diesel engines?

A Well, I was called back in that same month for the first transfer of diesels to Calgary. They were General Motors F-7 diesels, carbody type, and I transferred from Broadview to Swift Current -- that is over the Saskatchewan district. I supervised the transfer of all the diesels that went to Calgary and the Kettle Valley up to the time that I resigned the job.

Q And in your work did you or did you not have any operating manuals about the diesels?

A Well, when they first came out it took a long time before any manuals were available that I know of. It was long after the diesels were working in Saskatchewan before we could get manuals on them. That would be

in 1954. And while I had had instruction on the Alco I had to pretty well work from a manual on the General Motors and the only one I could obtain was an F-3 manual, which was ^{same} not the/type, but very similar -- a General Motors F-3 -- while the diesels I was handling were F-7's.

Q And did you or did you not as road foreman of engines tell the fireman that he had any duties with regard to patrolling the engine?

A Yes sir.

Q And from your experience as road foreman and as engineer, have the firemen in your district patrolled the engines or have they not?

A They have pretty well always patrolled the engines and I think they do right now although there has been, I believe, instructions issued that it is not necessary.

Q And do you know whether there was or was not, or is or is not, anything with regard to patrolling in any of the operating manuals?

A Well, there is in that F-3 manual. It is a builder's manual put out with the engine for operation and it does state that regular patrolling is necessary for the safe and efficient operation of the unit.

MR. LEWIS: Mr.Chairman, I have an extract, paragraph 144 at page 125 from the manual. I did not think -- I am in your hands, sir, --

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it was necessary to make it an exhibit. I can read this into the record just as easily and my friend can check it. It is paragraph 144, page 125, of the F-3 Operating Manual, General Motors locomotives.

THE CHAIRMAN: Is there a date on that manual, do you know?

MR. LEWIS: I think I looked for it.

BY MR. LEWIS:

Q Is there a date on that manual? Do you recall? Do you have it here or is it in your room?

A I could not tell you whether there is a date on it or not.

MR. LEWIS: I could check that and give it to the Commission in the morning.

Paragraph 144, at page 125 of the F-3 Operating Manual, General Motors locomotives, reads as follows:

"The entire operation of the locomotive should be conducted from the cab. Protective devices, alarm bells and signal lights are installed in the locomotive to provide the maximum protection for the equipment. Although the operation of the equipment in the engine room is automatic, it is good practice to observe conditions in the engine room at frequent intervals to be sure that the mechanism is functioning properly.

There are a number of indicators,

1. Introduction

The purpose of this study is to investigate the effects of

the proposed system on the performance of the

system under various conditions.

The results of the study are presented in the following

sections:

2. Methodology

2.1. Experimental Design

The study was conducted using a controlled experiment

with the following factors:

2.2. Data Collection

2.3. Analysis

2.4. Results

2.5. Discussion

2.6. Conclusion

2.7. Acknowledgments

2.8. References

2.9. Appendix

2.10. Bibliography

2.11. Glossary

2.12. Summary

2.13. Index

2.14. Appendix A

2.15. Appendix B

2.16. Appendix C

2.17. Appendix D

2.18. Appendix E

2.19. Appendix F

gauges and protective devices which should be observed when inspecting the engine room.

Additional protective devices and indicators are installed in the locomotive which should be checked when abnormal operation ("trouble") is encountered."

Now, do you know, and have you looked to see, whether any similar provision is to be found in any of the other operating manuals of General Motors?

THE WITNESS: I do not recall seeing that same -- anything actually similar to that -- outside of your "Preparatory Check" in the other manuals.

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Q What would the other manuals which you have seen be?

A I have seen the operating manuals for F-7; F-9 and GP-9.

Q Have you seen any Alco operating manuals?

A I have received my training on an Alco and I never bothered to look. There were several manuals around, but they were generally scarce and I never bothered to look.

Q With regard to this patrolling, did the road switchers -- the Commission knows that when one is concerned with the car body type of unit the problem I am about to mention does not arise -- did road switchers have any walkways between them?

A Some have and some have not.

Q Did you have any occasion, as Road Foreman of Engines, to deal with the matter of walkways in any way?

A Well, the first diesels that were actually put to operate in Saskatchewan were Alco road switchers and they did not have a gangway between the units. At that time, it was still a necessity that patrolling be done and I made complaints to various officers, including the safety agent, about the fact that they should have a gangway for safe movements between the engines.

Q Between the units?

A Between the units. However, I never did hear

any results of those representations I made, but I considered there was no reason for not having a gangway, particularly where a man would have to hang on to the hand-rail, take a step between the units, grasp the other hand-rail and pull himself over to the other unit, which I did not consider was a safe way of doing it.

BY THE CHAIRMAN:

Q When was that?

A That would be late in March of 1952 when these road switchers started; the units subsequent to that, so far as I know, I never saw any without gangways between them until in just recent months.

BY MR. LEWIS:

Q Now, Mr. Doull, you have mentioned the protective devices that you told the engine crew, the engineer and fireman about, and would those protective devices be the four basic ones that have been mentioned in evidence or did you have in mind others?

A Well, so far as that, there is a protective device in connection with your air brakes. Of course, all the manuals emphasize the fact that such a thing as wheel slip must not be permitted any more than it has to be, if you can prevent it, so we dealt with wheel slip and the PC switch, how it should be reset. That is done by the engineer

sitting at his seat. He does not leave his seat.

Q What is the PC switch?

A That is the power switch that protects the diesel traction motors in the event an emergency occurred in your air brake system, it cuts the power off the diesel engines and returns them to idle.

Q In your experience, Mr. Doull, is there or has there been trouble with the air compressor on diesel units?

A We quite commonly have trouble with the air compressor due to the compressor control switch not operating properly and it would leave it loaded when it should be unloaded or perhaps fail to load it when it should have been loaded.

Q In that situation could anything be done by anyone in motion?

A Oh, yes, it is possible to manually unload or load the compressor.

Q The air compressor?

A Oh, yes.

Q Did you or did you not instruct the fireman as to how to manually load or unload the air compressor when you were Road Foreman of Engines?

A Yes, we did.

Q Have you or have you not had experience with that, the actual operation of it, done by

firemen while the engine was in motion?

A Yes, I have.

Q It was suggested the other day, Mr. Doull, that if the compressor fails to unload the consequences would not matter. Would you explain to the Commission your experience and opinion as to that?

A Well, if the compressor fails to unload, then you have more air than you want and it will blow out through the safety valve on the main reservoirs. Continually blowing through the safety valve on the main reservoirs would burn out the valve and would then give you a practically straight blow through and you would probably lose your air. We have had similar cases with steam engines which had exactly the same type of safety valve on them.

Q And if the air compressor fails to load, what in your experience and knowledge would be the effect?

A Well, it would vary with the operation, that is if you were handling a full train with a two-unit diesel and one air compressor failed to load while you were running, nothing would happen until such time as you were trying to use your air brakes in making a slow-down. You would be unable to release your brakes if you were doing heavy braking. It would not matter with maybe light braking, but with heavy braking you would require all your air

compressors working.

Q When you are running a locomotive, Mr. Doull, is it or is it not necessary for the engineer to feel he can always do heavy braking at any moment?

A I think it is very necessary.

BY THE CHAIRMAN:

Q Would that condition not be revealed by some gauge or indicator to the engineer?

A Well, sir, if the air compressor failed to load, one out of the two failed to load while he was handling a heavy train, there would be no indication because the one would maintain normal train line leakage so his gauges would show normal until such time as he started using his brakes, and his air would not recharge at the rate it was necessary or the rate at which he was supplying it back to the train to release the brakes.

BY MR. LEWIS:

Q Would that have any effect on the braking?

A It would have the effect of not being able to release the brakes and it would bring you to a stop and probably take a long time to get the brakes off. Then, you could proceed after that.

Q If, while that air compressor was in that condition, you had to make an emergency application of the brakes, would the condition of the air compressor be of consequence

in that?

A No, sir, his train line would be sufficiently charged and he would get a full braking effect in emergency.

Q Have you, in your experience, had any experience with any trouble in the fuel supply mechanism?

A Yes, particularly noticeable during the winter of 1955-56, there was an awful lot of trouble with the suction filter becoming plugged up in the fuel system, causing failure to give maximum power out of the engine with a consequent loss of time to trains.

Q Was there anything that could be done in relation to that en route?

A Well, it became quite a practice when you encountered that trouble that you removed the filter element from the filter and then proceeded. This still left, of course, lots of filtering for the fuel before it would reach the engines.

Q Was there or was there not any other kind of way in which you could handle that on any of the classes of engines?

A Well, with the Alcos we had a filter that could be changed over by a lever. I understand that the later Alcos, which I have not seen, have done away with that feature of it, but in the original Alco engines they had a two-section filter with a lever for

cutting in one or the other, or you could cut in both filters.

Q If you had fuel supply trouble resulting from filter trouble, is it or is it not possible for the engine crew to know the cause of the trouble by inspecting it while the engine is standing?

A It would depend on how badly the filter was plugged.

Q Would you explain that a little more, please?

A Well, I have seen a case where I inspected the engine to determine what was wrong and could determine nothing wrong with it and yet while on a fast freight he had been probably five hours making thirty miles. He could keep going all the time. We could find nothing wrong. Eventually -- I had a steam engine and I had to double head this unit, so the other engineer and myself changed places as he figured I knew more about diesels than he did, to see if I could find out what was the trouble. We found out when operating under full throttle he was only getting power to the equivalent of about No. 3 throttle position. The element was removed from the suction filter and the engine gave out full power, but I could not determine that from a standing inspection of the engine.

Q I do not know whether a transcript of that will be as clear to the Commission as it is

to me because you told me about it. You mentioned something about being on a steam engine.

THE CHAIRMAN: Double-heading.

THE WITNESS: I left Moose Jaw some hours behind this fast freight.

BY MR. LEWIS:

Q May I interrupt you, please. You left Moose Jaw on a steam engine?

A With a steam engine.

Q And you say some hours behind this fast freight, which had what kind of locomotive?

A He was shown on clearance to the best of my recollection something like four hours ahead of me out of Moose Jaw.

Q What kind of locomotive did he have?

A He had a two-unit General Motors diesel. I was flagged when approaching Parkbeg, that is Mileage 34, approximately, by the conductor --

Q On the road from Moose Jaw?

A Mileage 34 on the Swift Current Subdivision. They told me they had their train between switches and asked if I would cut off my steam engine and run up through the siding to see what I could find. So, I did so, and as I say, I could not find anything. Everything appeared to be working normally. The engineer on that was D.O. Robertson. So, he finally decided to go. He was able to develop sufficient power immediately so that he could lift the train nicely and get going. I was held for the block

and then proceeded and caught up to him again, when I got a message to set off my own train and double-head him as he was a symbol freight, and that is when the previous experience took place.

BY MR. SINCLAIR:

Q What year was that?

A That was 1955 or 1956; I could not give you the exact date.

BY MR. LEWIS:

Q Did you or did you not give the engineer and fireman instructions with regard to the filters and fuel supply system and the things to do about them?

A Yes, we showed them everything that could go wrong with the system.

Q With regard to the cooling system which you mentioned --

MR. SINCLAIR: I wonder if my learned friend could help me by asking what train that was that Mr. Robertson was on? He said it was a time card freight.

BY MR. LEWIS:

Q You said it was a symbol train?

A I believe it was No. 951.

Q You mentioned one of the things you taught the engine crew relating to the cooling system. Was there anything that could be done while the engine was en route if anything went wrong with the cooling system?

A We used to have a lot of trouble with the shutters failing to operate properly. They were made to be operated manually; that is, you could

change over from the automatic operation to manual and the manual operation of course required attention practically at all times. That is, with the changes in the conditions under which you were operating the engine you would have to alter the shutters.

Q Alter the shutters, you mean allow more air or less air to enter?

A Well, you would have them wide open while you were working with full throttle and the engine would cool off very rapidly if you eased off the throttle, and you would probably have to close your shutters, maybe one side or probably both sides.

Q I think you mentioned earlier when giving the points that in the case of the Alco engine there was also a manual operation for the fans?

A Yes, the fan had a manual operation on it. This was a switch which had an automatic position and also two operating positions. As it was an electrical drive it was subject at times to stopping or failing to operate in the automatic position and you could then operate it manually.

Q Was there any difference between the arrangement on the Alco unit and on the General Motors unit?

A Yes, sir. The shutters in the General

Motors were not made to be operated, that is there **were** no facilities for operating them manually and there was no control for the fan; it was all fully automatic -- for the fans, as they had more than one fan.

Q They had more than one fan, what?

A They had more than one fan. I corrected my original statement of the fan; it should be fans.

Q If anything occurred which caused a failure of the cooling system in a General Motors unit was there anything that could be done in view of what you have just stated?

A Well, I have only run into one case with a General Motors where the shutters did stick, and on taking the air off them with the intention of operating them by hand they apparently commenced to work all right. They had just been stuck for some reason and taking the air off them, it released whatever had stuck them.

Q I am sorry, I do not understand what you mean by taking the air off the shutters?

A It operated by air, the automatic portion of them.

Q How did you --

A They were controlled electrically and operated by air.

Q How did you take the air off them?
What did that involve?

A Just drained the air from the operating cylinder.

Q Can that be done manually?

A That can be done manually, but there is no provision whatever for operating the shutters manually after you have taken the air off them.

BY THE CHAIRMAN:

Q You have to put them back?

A Actually, if you remove a couple of pieces of the shutter you can reach up and move the shaft. It is quite easy to move by hand, but in the case of Alco unit it is provided with a lever for that purpose.

BY MR. LEWIS:

Q Can you take the air off the shutters--
I want to be sure we get the facts on the record -- when the engine is in motion, or is that done when the engine is standing still?

A It could be done either time.

Q Do you know whether the cooling system, the shutters and the fans in the more recent Alcos have any provision for manual operation?

A I have seen no Alcos more recent than the ones that were supplied prior to the summer, I would say, of 1954.

Q What was the recent one which you had in Saskatchewan?

A General Motors and Fairbanks-Morse 8900; those were received in Saskatchewan.

Q What is the cooling system in the 8900 type?

A Much the same as General Motors.

Q Did you or did you not teach the engineer and the fireman with regard to the troubles that might arise in the cooling system as you have described them?

A Yes, sir, we did.

Q In your experience have you known of any failure of an engine to load power?

A Oh, yes, we have had occasions of that.

Q Is there anything that can be done about that?

A Well, we generally find that unless the trouble lies in some of the relays or fuses that just taking it off the line and putting it on again generally corrects it; just cut it out for a second or two fixes the stickiness. Also you can operate the air manually, but you do not do it with the power on, by swinging the contactors back and

forth once or twice manually. Generally when you try to load her again it will load if the rest of the mechanism, if nothing has gone wrong with the control part of the mechanism.

Q Do you have any opinion as to whether it is wise or not to check an engine during motion at any time to make sure that every unit of the engine loads?

A It has always been my opinion and my practice that as soon as possible after leaving a terminal the units should be checked to see that they are all loading properly. Once you have made one check such as that the engineer will then have the feel of his train pretty well so that if a unit failed to load he would know it from the cab, but in the original start at the terminal he may have doubt as to whether the units are loading properly or not.

Q Did you or did you not inform the engineer and the fireman as to the things you have just discussed with regard to units failing to load and what can be done about it?

A Yes, that is part -- this is No. 31 in there, failure to load. We used to go over all that.

Q On one or two occasions during these

proceedings, Mr. Doull, I have discussed with witnesses the question of an engine failing to make backward transition.

Did you discuss the matter of an engine making transition with the engineers and firemen when you trained them in diesel operation?

A Oh, yes.

Q Were you able to tell them whether anything could or could not be done if an engine failed to make either backward or forward transition?

A Well, we told them that when there was a failure to load, that generally by taking the power off and putting it on again they would probably do it. More or less it is some stickiness in operation that is the cause.

BY THE CHAIRMAN:

Q That would be done by the engineer working his throttle?

A If he could keep going by shutting off his throttle, it would only be momentary; he would shut off his throttle and then re-open it and see if transition was made.

Q That is what you meant?

A Yes, sir.

BY MR. LEWIS:

Q Was that the only way in which this

transition could be caught?

A Well, as far as our territory was concerned; I could imagine that maybe on some of the heavier territory they might not like to shut off. They could do it with the isolation switch by taking it off the line and bringing it back on again.

Q In the latter case the engineer would not be able to do that?

A No.

Q If a unit continued to fail to make backward transition would there be any harm in that or not?

A To continue to work for any length of time with a failure to make backward transition puts more or less of an overload on the main generator and that could cause damage by overheating.

Q I once repeated parrot-like what forward and backward transition meant. Could you give in simple language a description of that for the information of the Commission?

A Forward transition is the transition made with increasing speeds while accelerating. Backward transition is the transition made with decreasing speeds due to the load slowing the engine down. All of it taking place

with the throttle in the same position probably.

BY THE CHAIRMAN:

Q You referred to an isolation switch; where is that located?

A In the road switchers it is located in the cab. There are actually various places in the different orders of units. That is, they might come out this year and have it one place. Some have it inside the electrical cabinet; some have it on a hinged door; the latest ones have it up near the roof of the cab, and so on. That is on the road switchers. In the car body type, it is back towards the rear of the engineroom.

BY MR. LEWIS:

Q I do not know whether I asked you or not, but did you inform the engineer and the fireman during the training about making transition both forward and backward and what to do if they encountered failure?

A Yes, we did.

Q If there was more than one unit, if you had a multiple unit diesel locomotive, what is the connection between the units since you control the entire locomotive from one control cab?

A They have what they call a jumper,

which is a connection between the units. I believe the main controller has 27 connections or something like that in the one wire. In the case of General Motors they also have a field loop connection for the dynamic braking as well.

Q That is between the units?

A That is between the units, yes, sir.

Q Have you or have you not had experience with anything going wrong with those jumpers which has caused trouble?

A I can recall a couple of occasions of them being loose, but we do not often part or cut up units on our territory so they pretty well stay fixed and firm in position.

Q What do you mean you do not often part?

A If two units leave Calgary for Winnipeg they pass over our territory that way, and if they leave Winnipeg, they pass through all the way. We very seldom have to add to or separate units.

Q But if jumpers come loose is there anything that can be done about that trouble while the train is in motion?

A Well, if nothing has broken they could be re-fixed in position, but it could be that they might have a broken lip that holds them on or something like that, and they could not be fixed in

position. But as long as nothing is broken they can be replaced.

Q In order to replace them is it necessary for the engine to be standing or could it be done while the engine is in motion?

A It would be the best policy to have the engine standing, I would say, on road switchers particularly. On the A and B units it is an overhead movement that could be done running, but on road switchers it would be much better to do it standing because it is down at your foot level, the connections.

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- Q And did you or did you not point out to engineers and firemen this jumper connection between units and the trouble that might be expected?
- A Yes sir, that came under, I think I mentioned, the causes of one engine failing or one unit failing.
- Q During these proceedings we have also discussed, Mr. Doull, the trouble that may arise with regard to a traction motor and a requirement to cut it out. Have you had any experience or have you any knowledge regarding that sort of failure?
- A Yes sir, you can have trouble on a traction motor and if your unit is equipped with traction motor cut-out switches you can cut out the affected motor. Otherwise you would have to cut out the whole unit.
- Q You said if your unit is equipped with a traction motor cut-out system. Does that mean that not all units are equipped with that switch?
- A Not all C.P.R. units are equipped with that switch.
- Q You say if they are not equipped with that switch, then it would be necessary to cut out the entire unit?
- A Yes sir.
- Q What would be the most common cause of trouble with a traction motor, do you know?

A Well, as to the cause, there could be lots of causes within the traction motor. Generally the thing that causes the engineer to have to cut it out would be continuous wheel slip alarm or repeated ground relays which you might try to eliminate that way.

Q And we discussed the other day with one of the witnesses as to the effect of the cutting out of a traction motor or a unit on the wheels and their rotation. Would you give the Commission your experience and opinion on that?

A Well, it is not opinion. You are instructed that you never cut out a traction motor or a unit with any trouble such as that without making sure that your wheels are revolving before you can move the wheels affected, that is, the ones you have cut out.

Q How would that be done? How would you make sure that the wheels --

A Well, you would have to have someone watch out while you started moving.

BY THE CHAIRMAN:

Q Someone on the ground?

A Someone on the ground, yes, sir.

BY MR. LEWIS:

Q Did you or did you not instruct engineers and firemen as to the need for watching the rotation of wheels in case a traction motor or a unit is cut out?

A Yes sir, I did.

- Q Have you ever had any experience with failure of the cooling water system or do you have any knowledge of such possible failure?
- A Well, in what regard? We discussed the shutters.
- Q Loss of water is what I have in mind.
- A Oh, loss of water, yes. We have often run into that in Saskatchewan.
- Q Would there be any particular reason why you would run into that in Saskatchewan?
- A No, I would not say there was any particular reason.
- Q And what has happened when you have had a loss of water?
- A Well, we have added water to the engines en route or the loss might not be fast enough and you could make the terminal, and then we have cases of the loss being through the water pump on the Alcos, where it would go fast and you would have to shut down the engine.
- Q Is there any way in which you as an engineer sitting at the controls in the cab would know whether a loss of water is taking place?
- A Not until you get a hot engine alarm.
- Q Is there any way that anyone can find out that there is a loss of water anywhere else on the engine?
- A Yes, there is a water glass in the engineroom showing the water and by checking what you have when you start you can tell what loss is

taking place while you are running.

Q From your experience as road foreman and as engineer do you think there is or is not any value in checking the level of your cooling water in that glass while en route?

A Well, I think there is in that if you know how fast you are losing water you know whether you can pass up a possible watering station or whether you should stop there and take water.

Q And did you or did you not instruct the enginemen and firemen when you were road foreman of engines about the possible loss of water and what to do about it?

A Yes sir, and I also instructed them that even -- that they should take the time for any particular loss even though it was a minor one so it could be passed on to the maintenance officials so they would know whether it was necessary to add water or not.

BY THE CHAIRMAN:

Q While I think of it, you have been speaking about freight service, have you, road freight service?

A Freight service, but I did supervise diesels being put on the passenger trains through Saskatchewan as well.

Q In road freight service how long would you run in miles before stops for any reason other than trouble?

A On symbol freights we run 75 miles and on extra freights compulsory inspection is limited to within 50 miles and sometimes they are less than that by having the points designated for the inspection, but all our symbol freights are 75 miles.

Q They are designed and scheduled to go 75 miles from the time you start until the time you stop?

A That is the distance we are permitted to run without stopping for train inspection.

Q I mean for any purpose would you run 75 miles on a symbol freight without stopping at all?

A Yes sir.

Q And on freight trains other than symbol what would you do?

A You would in making your inspection points -- I would say you would very seldom be able to make it right on the 50 miles but you would run between 40 and 50 miles without stopping.

BY MR. LEWIS:

Q That would mean, would it, if there was no switching to be done in the interval?

A Provided you had been given nothing else to do. I was just talking about straight running.

THE CHAIRMAN: I was speaking about the maximums.

THE WITNESS: That is the maximum, sir.

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

BY MR. LEWIS:

Q Now, Mr. Doull, it has been suggested in evidence before the Commission that patrolling engines while they are in motion carries with it a hazard, to put it neutrally like that. What is your experience and opinion as to that?

A Well, I never considered it hazardous except I did think that on road switchers the speed should be reduced to probably 25 to 35 miles an hour, but as far as car body types, at any speed is safe. There is no particular hazard in the engineroom and as a rule when we have either the company's maintainers or, as we sometimes do, diesel experts from the builders riding with us they will often spend practically the whole time in the engineroom or walking back and forth around road switchers.

Q It has been suggested, Mr. Doull, that there is some hazard connected with opening the side doors of a road switcher while the engine is in motion. Have you any opinion as to that?

A Well, I would say that at high speeds you might have some difficulty with opening them. You are inside a guard rail and the door itself is not the kind that slams around as a rule. I have not seen any slam around, but I would say there was no hazard

at slower speeds, definitely.

Q If I may put it this way, Mr. Chairman, with my friend's acceptance, what about the possibility of wind swinging the doors and creating some hazard?

A Well, for various reasons I have seen doors open and I have never seen them swinging or slamming back and forth. The doors are made in pairs as a rule, one opening forward and one opening back, and while generally you release both of them and the wind might hold one there the other one will just stay back against the side of the engine and stay there, being held there by the wind actually.

Q How would you from your experience compare the hazard of standing on the catwalk and opening a door on a road switcher at the speed you gave, 25 to 30 miles an hour, with a trainman standing or walking on top of a car?

A Well, I have never tried standing or walking on the top of a car myself so all I could give you is what it appears to me. It would appear to me to be much more dangerous to be on top of a car. I have seen brakemen drop to their knees on occasion to hang on on top of there and I have never seen anybody along a catwalk have to do anything like that.

Q Is there or is there not some slack between the units of a multiple unit engine?

A There is a little slack, yes.

Q How does that slack compare with the slack between the cars of a train?

A Well, I think on practically all the more recent diesel engines there is very little slack between couplers and there is much more between the cars.

Q And does the slack between engines and between cars have any effect on the safety or hazards of standing on the catwalk or on top of a car, in your opinion?

A Well, it would -- if you were in a situation where there was slack action such as switching or going over rolling prairie where it is running in and out all the time and that sort of thing, there would be considerable hazard because they get quite a jar.

Q On what?

A On a slack action, from the slack action. It will upset the caboose, as a matter of fact -- I mean the interior of the caboose--- of a long train.

Q And would that effect be felt on the catwalk of the road switcher or on top of the cars or on both?

A Well, I imagine it would be felt on top of the car but you do not as a rule feel the slack action on the engine very much, but there are occasions when you will feel it in the engine.

THE CHAIRMAN: Would you like a break here, Mr. Lewis?

MR. LEWIS: All right, sir.

---Recess.

AFTER RECESS

BY MR. LEWIS:

Q Mr. Doull, just prior to the recess we were discussing the effect of slack action. Is that or is that not of particular concern to the engineer?

A With long trains, yes. All train handling is done with consideration of the slack that you have in the train not only on account of the effect you might feel yourself or that the rear end train crew might feel but also with respect to the contents of the cars themselves; that is, merchandise has been damaged due to slack action in cars.

Q Are you as engineers given any particular warning or training with regard to handling the trains in respect of slack action?

A Well, yes you are. In all your training in train handling the slack action of the train is emphasized.

Q Now, Mr. Doull, I want to deal with another matter. Did you make any trips during the Easter recess?

A Yes, sir, I made two round trips. That would be four subdivisions.

Q When did you make your first one?

A April 26.

Q Can you give the Commission the engine numbers and what kind of train it was?

A I was ordered for an extra west out of Moose Jaw

- 5036 -

with units 8618 and 8498.

Q Two road switchers?

A Yes, General Motors.

Q And you said, "An extra west". Is that a through freight?

A Yes, a through freight.

Q Who was your helper on that trip?

A R.N.Gates.

Q When did you first see the helper on that trip?

A I first saw him a few minutes prior to 1330 which was the time of our coming on duty when I met him in the locker room where we were putting on our overalls.

Q And from there where did you and the helper go?

A To the booking out office at 1330 and did the usual duties there of reading and signing the bulletins and comparing watches and times and registering in the outward register book.

Q And where did you go from there?

A Across to the engine about 25 yards away. Very close.

Q And how long altogether did you take from the time when you left the locker room until the time you got to the engine?

A I checked the time when we got into the cab of the engine -- that is as I climbed up into the cab and that was eight minutes later or 1338.

Q What did you do -- not the helper at the moment --

but what did you do? You were engineer?

A Yes sir.

Q And what did you do as the engineer after you reached the engine and before you left -- was that the shop track by the way?

A Yes.

Q The engine was on the shop track?

A Yes.

Q What did you do as engineer after you reached the engine and before you left the shop track?

A Well, I carried out the usual preparatory inspection of the engine.

Q What did that consist of?

A That consisted on my part of an inspection of the gauges in the cabs, and I put the engine on the line with the isolation switch, checked my air gauges and did the same -- I went to the rear unit and did the same with the cab gauges there. I then returned to the leading unit and made my brake test and also applied the sanders -- went down on the ground and checked that the brakes shoes were released from the wheels and that the sanders were working.

Q Did you do anything else?

A I checked the -- well, as I said, I checked both cabs for the condition of the cabs.

Q In making the brake test you said you released the brakes and went down on the ground to see about the brake shoes. Is that the completion of your brake test?

A We have to apply and release them and see that they apply properly and check the piston travel to see that it is correct.

Q Does that involve -- I just want the Commission to understand what is involved in that -- does that involve being in the cab once and going down on the ground once or does it involve more than that?

A It involves being in the cab twice and on the ground twice.

Q Why, what did you do the first time and the second time?

A To see that the brakes are applied properly and to see that they release properly.

Q While you were doing that was your helper doing anything?

A Yes, sir, the helper checked the equipment on the engine.

Q What equipment?

A Well, there is various equipment. He had to see that he had his white and green flags, that he had his red and white lanterns, that he had his flagging kit. In this particular case, he found that there was no flagging kit on the control unit.

Q That is the leading unit?

A The leading unit.

Q Did he do anything about that?

A He went back to the other unit and found there was a flagging kit on it and brought it up to the leading unit. He checked to see and found that he had no drinking water pail and no oil or oil-can for servicing the flagging lanterns.

Q That is coal oil?

A Coal oil. As he brought back the flagging kit he released the hand brakes and also checked over the amount of fuel he had and he reported to me the engine had not been fueled and at the same time reported that everything else was correct. I was not following him to see just what he checked, but the usual thing would include the water level, lube oil, compressor, oil pressure and so on.

Q Did he, in that inspection, or did he not do anything about the air system?

A Well, after bringing the flagging kit up he checked to see if he had fire extinguishers on both units, if they were in the proper position and that the seals were intact. Then, he drained the main reservoirs and he got down on the ground and went to the round-house to obtain what he required for the engine.

Q Well, when the helper was finished doing these things, where were you?

A Well, in the meantime -- do you mean the preparatory or going to the roundhouse?

Q No, the preparatory, when the helper was finished that were you still doing your preparatory?

A I was still doing my preparatory work.

Q Where were the members of the train crew, the conductor and the two brakemen during that time?

A Well, the head trainman was not due on duty until 14 o'clock and the trainman and conductor would be ordered on probably for 14.30 or 14.35 and would be picked up at the yard office.

Q Well, by 14 o'clock did you see the head end trainman?

A Yes, I saw him by 14 o'clock.

Q Were you and the fireman finished with your preparatory inspection by 14 o'clock?

A Well, I was finished and the fireman was still getting this equipment. The head end trainman came on the engine and made his check of the contents of the flagging kit and then proceeded to the shop track lead to be ready to take us off there at 14 o'clock, which was when we were due off.

Q Now, Mr. Doull, have you in your study of operating manuals --

BY HON. MR. MARTINEAU:

Q Will you pardon me, Mr. Lewis. How long did

you take to accomplish this preparatory inspection, outside of the first eight minutes, Mr. Doull?

A Well, I would say that it took me up to -- I was sitting in the cab just prior to 14 o'clock. What I have not got on to yet was that the fireman was not finished until 14.06 in returning with this equipment.

Q But you, yourself?

A I was finished at 14 o'clock, probably a couple of minutes before that. I did not check the time particularly when I sat on the seat.

BY THE CHAIRMAN:

Q What was the equipment he had to get?

A He had to get oil for the red and white lanterns and he also went to get a water pail at the same time for drinking water.

Q Is it unusual that those things are not on the engine when the crew gets to it?

A It is not unusual that there is something to get, sir.

BY MR. LEWIS:

Q Just to get these times straight, I think you said you got to the cab of the engine at 13.38?

A We were in the cab of the engine.

Q And you were called for 13.30?

A No, I was called for 14 o'clock, but I was there at 13.30.

Q You appeared on duty at 13.30 and you got into the cab after doing the things you had to do in the booking office, at 13.38?

A That is right.

Q You informed Mr. Commissioner Martineau you had finished your preparatory matters by 14 o'clock, perhaps a minute or two earlier?

A Yes, in time to leave the shop track at 14 o'clock.

THE CHAIRMAN: That is another 20 minutes.

BY MR. LEWIS:

Q You said the helper returned from the round-house at 14.06 and you left the shop track?

A I should revise that a little. He returned to the engine probably a minute and a half before 14.06 and he got on the engine and I checked with him verbally that we had all the necessary equipment. I started to ring the bell and looked back for the signal from the brakeman who was back on the shop track lead and on obtaining the signal asked the fireman if I was clear on the left side and proceeded at 14.06; I started moving.

Q Why did you ask the fireman if all was clear on the left side?

A Well, for westbound engines on the shop track, there is quite a curvature and you cannot see the other switches or the converging tracks on which there are engines,

light engines, moving at all times, and it is the practice -- I do not know, I never tried to get off the shop track without asking if the left side was clear.

Q You do that at that time, and where is the head end brakeman and the other members of the train crew?

A He was back at the shop track lead.

Q ~~Were~~ the other members of the train crew, the conductor and rear end trainman around?

A No, they do not report for duty there at all.

Q Where do you pick them up?

A Well, eventually we picked, came in contact with the rear end brakeman when we backed on to a portion of our train in the yard. I saw the conductor during the time, after assembling our train, while I was pumping up the air and waiting for a brake test.

Q You said you came in contact with him?

A We did not pick him up at all. He was never in the cab at all.

Q But you do not mean you came in contact physically?

A No, made contact with him when he gave the signal.

BY THE CHAIRMAN:

Q You said at one stage that the fireman reported to you that the engine was not fueled. Was anything done about that?

BY MR. LEWIS:

Q Was anything done when you learned the engine was not fueled?

A That is quite common; we get that at Moose Jaw after we leave the shop track. We stop at a fueling point after we leave the shop track.

Q Did you do so on this occasion?

A Yes, sir.

BY THE CHAIRMAN:

Q You mean by that, that that is normal practice?

A Pretty well normal practice. On occasions, they will fill engines coming up, and on other occasions we find them put on the shop track and we fill them up on the way out.

Q I got the impression that when you were reporting what the fireman said to you you were criticizing the shop crew, but that is not so?

A No, sir, that was just as common. If it had been filled up he would have done the same thing. He would have reported to me it was filled up so we did not have to stop.

S-2

BY MR. LEWIS:

Q It has been suggested in evidence by a number of witnesses so far that each of the inspections done by you and your helper on this trip on April 26 were not necessary because it was the responsibility of the shop staff. Would you give the Commission the benefit of your experience and opinion on this point?

A Well, we were always required, even with steam power, requirements were laid down what must be done by the shop staff, including certain things that had to be supervised by the foreman, and we always had to make our own check of it. The shop staff, as a rule, are pretty heavily worked people and often miss out on things. The same thing as these supplies, it is quite common not to find them on an engine, while they are supposed to be put on by the supply man. For your own safety in operating the engine, I consider everything we did was absolutely necessary, and as pretty well called for by all the instructions I have ever seen, except what we have heard in this court about not being necessary.

Q As an engineer, Mr. Doull, how would you feel about taking an engine off the shop track or on a run through point without making the checks which you and the fireman made on your trip on April 26?

A Well, I think I would find an opportunity, if I was not permitted to make it on the shop track, of doing it some place before I started out on the road. I would not feel safe about leaving town without knowing the condition of everything.

Q Mr. Doull, in that connection, have you or have you not seen anything with regard to the

inspection of that sort in any of the operating manuals which you have had?

A Well, in all the operating manuals they recommend a check by the engine crew in addition to the maintenance checks.

THE CHAIRMAN: Then, you were speaking about manuals gotten out by the manufacturers of diesel engines?

MR. LEWIS: That is right, sir.

BY MR. LEWIS:

Q I have here again, Mr. Chairman, and I might save time by just reading it in --

MR. SINCLAIR: Will you tell us from what manual it is?

MR. LEWIS: I certainly will. This is again the F-3 operating manual of General Motors, at page 126 --

MR. SINCLAIR: As a matter of fact, I do not like to interrupt my friend, but the Canadian Pacific never had any F-3's.

MR. LEWIS: I know that, Mr. Chairman.

MR. SINCLAIR: Well, that makes quite a difference. I want a note of that fact.

MR. LEWIS: The witness has informed the Commission that he could not get hold of any other at that time, but the General Motors F-3, and with your permission I have another one as well I should like to put on the record, because of some argument I am going to relate to it. Then,

at page 126, which is paragraph 147 of
the F-3 General Motors operating manual --

HON. MR. MARTINEAU: What page did
you say?

MR. LEWIS: Page 126, and the para-
graph was No. 147, which reads as follows:

MR. LEWIS: It is page 126,
paragraph 147, and it reads. --

MR. SINCLAIR: I do not like to
keep objecting, but we have none of those on
the Canadian Pacific. Because there is a
manual that somebody has got somewhere else
about an engine somewhere else, I do not
know what relevancy that has.

THE CHAIRMAN: I can only think
at the moment that it does not apply to any-
thing you have.

MR. SINCLAIR: Or have had.

THE CHAIRMAN: Or have had, but I
assume that Mr. Lewis in some way or another
is going to make it apply to something later
on.

MR. LEWIS: I do not think it will
be very long.

MR. SINCLAIR: He is putting in
something that somebody else has said.

MR. LEWIS: Something that my
learned friend's clients or employers, I do
not know just how he would describe them --

THE CHAIRMAN: Patience will show
its relevancy.

MR. LEWIS: After all this I hope
it does.

THE CHAIRMAN: It was page 126,
paragraph 147.

MR. LEWIS: It reads as follows:

"The operation of F3 locomotives is very simple and if the procedures given here are followed no difficulty should be encountered. A very important factor in keeping difficulties and resulting delays to a minimum is the checking of the locomotive before attempting to operate the locomotive to be certain that everything is in good order. Do not skip items or perform a check that is not thorough as the item that is missed or carelessly checked is sometimes the cause of long delays."

BY MR. LEWIS:

Q You are the one who provided me with this quotation from the F3 operating manual?

A Yes.

Q You also provided me in this connection with the following quotation from the GP9 operating manual of General Motors. That manual is dated January, 1954, and this quotation will be found at page 200. It reads:

"The successful and dependable operation of the locomotive is dependent upon the quality of inspection and repair at regular

11:40:00

100

"maintenance periods, as well as the proficiency of the operating crews. As a supplement to terminal maintenance, a 'pre-service check' should be made by the engine crew upon boarding the locomotive."

THE CHAIRMAN: Is the GP-9 any more applicable than the F3?

BY MR. LEWIS:

Q Do you know whether the Canadian Pacific Railway have any GP9's?

A Yes, sir. That same paragraph appears in all General Motors manuals for F7, F9 and GP9.

MR. SINCLAIR: Is the witness saying that these are the instructions of Canadian Pacific?

THE CHAIRMAN: These are the manufacturer's suggestions for efficient operating.

BY MR. LEWIS:

Q Then you say that in the manufacturer's operating manual that I have just read, that that quotation appears not only in the manual for the GP9 but also for the F7 and F9?

A Yes, sir.

Q Do you know whether the Canadian Pacific Railway have any F7's, F9's and GP9's?

A Yes, they have.

Q Would you agree with what is said in these operating manuals of the manufacturers of the diesel engines with regard to the need for a pre-service check by the engine crew?

A Yes, I would agree with that.

Q On this trip on April 26, to get back to it; you finally got your engine consisting of two road switchers off the shop track and presumably -- if I may lead to save time -- you then went to get your train and to couple on to your train?

A Yes, sir.

Q Was your train on one track or more than one track?

A No, it was on three tracks.

Q Would you describe very briefly to the Commission what was done as you got your train off the three tracks?

A After reaching the yard office we had to get the first portion of our train from Track 6 in C yard. We backed into C-6 for the first part of the train, the head brakeman on the leading end of the engine. The first time I saw the rear trainman was after we had rounded the switch curve into Track 6 and he was back at the cars we were

going to couple onto.

Q Was the conductor around at that time?

A The conductor was still in the yard office getting his bills.

Q Then you back into Track 6 and coupled onto that part of the train that was there. Then I suppose you pulled out again, out of Track 6?

A I pulled out of Track 6 to double to Track 7 and as I started out of C-6 the helper reported a short freight train backing over the crossover to the lead, and I stopped. At this time our trainman was back checking on the cars to see that they were all coupled. We had pulled out with the brakeman staying, the head-end brakeman staying where we could see him. I had a short-nosed diesel and could see my own switch. This short freight train --

BY THE CHAIRMAN:

Q What do you mean by a short-nosed diesel?

A The short nose ahead; that is, instead of the engine ahead, it has a short nose ahead.

Q You were really backing up, so to speak?

A No, the front end of these General Motors diesels is the short nose end.

MR. SINCLAIR: That is shown in the exhibit.

THE CHAIRMAN: That is one of the details I have not got in my mind.

THE WITNESS: The short freight train backed from the yard track for westward traffic onto C lead and backed his train into C-11.

BY MR. LEWIS:

Q Could you see that?

A I could not see him at the time, but by backing into C-11 he was going into a track fairly well clear of me. That is, it would be. I could have got another engine length and then I would have been able to see him and still been clear of the track he was backing into.

Q He was going onto Track C-11, but would the same thing hold true if he had gone to another track in that yard?

A No. Going into 11 or 10 or maybe even 9, two tracks remained and he would have been all right. If he had been going into 8 I could have fouled him before seeing him actually.

Q How many cars did you pull out of Track 6?

A On Track 6 was a short cut of cars, probably 17 or 18 cars. We took that out and we backed on to the cars on C-7. No difficulty with signals or anything; they were all given to the engineer.

At C-7 we pulled out pretty well a full track there; I would imagine about 45 cars, and doubled to C-2.

Q When you left Track 7 you would have had something like 63 cars; is that right?

A I would say around 65 cars.

Q And you had had no difficulty with signals, they were given on your side?

A Yes, there was no difficulty with signals. The lead takes a sharp right-hand curve at the last track, which is Track 12, and leads across to a point opposite Track 11 or Track 12 and another yard, and then angles off to the right again. So you are sort of going around a U. In the meantime there are several tracks with cars on but the brakeman could station himself to give signals to you up to a certain point.

Q What is that point?

A Well, in this case with 65 cars I stopped just about opposite Track 1 in D yard. If I had had to go beyond Track 1 I would take another sharp turn to the left. That is if my cut out of Track 6 had been a little larger than it was I would have taken a sharp left turn again with the engine and then I could not

have seen any signals. The trainman could not have gone out to the northward to reach my range of vision. That is, he could have gone out there but it was a quarter of a mile or so and reached my vision, but he would not have been able to see the movement because it would be on the other side of a big repair track that has maybe eight or ten tracks of cars on it as well as a big car shop intervening between him and the movement.

When we have had long cuts you can go out like that or signal either by the brakeman getting on top of a car and giving it to the fireman, who is the only man who can see the tops of the cars being there, or else crossing over and staying on the ground on that side and giving it.

Q You have had that experience?

A I have had that experience on odd occasions in the past.

Q When the trainman would be on top of the cars you said the fireman could see him but you would not be able to see him on top of the cars?

A No, I would not be able to see him.

Q Even if he was on top of the cars?

A That is correct.

BY THE CHAIRMAN:

Q Why would that be?

A His position, as I more or less described it, is that they go around the big square bottom of the U, and then at the top and one end of that U you turn sharp to the left, which would leave all the cars behind me as I pulled them around on the U and sharply curved to the fireman's side.

BY MR. LEWIS:

Q Then you said that having taken your part of the train from Track 6, you then backed into Track No. 2, I think you said?

A Yes, backed into Track 2. At that time there was an extra man relaying the signals although it was not necessary. Neither the head-end brakeman or myself knew who he was. I asked who he was but they did not know. He just stepped out and did it although it was not necessary for him to do so. I could see the head-end trainman quite clearly.

Q Do you know whether he was a railway employee?

A Outside of the fact that he was wearing a suit of overalls, I could not tell.

BY THE CHAIRMAN:

Q Do I understand you to say that at this point if you had not had a fireman you

could not have carried out the operation?

A No, sir, not in this case. We could have carried it out all right. I mentioned that if we had had more cars than we actually were taking out you would have to go a little bit further on that same movement and then it would have been necessary to have a fireman.

Q I thought you suggested that even if the trainman had been on top of the cars you could not have seen him?

A No. If I had had to go further; in this particular case I could see the trainman at all times on the ground on my side.

Q But when he was on top of the train you could not see him?

A No, sir. Mr. Lewis asked me about having more cars than I started out with in this case, which would have put me further around the curve, and then having gone right around the curve I would not be able to see him if he had been on top of the cars.

Q Therefore you would not have been able to carry out the operation without somebody being in position to see him?

A That is right.

BY MR. LEWIS:

Q I think you also said that you had on occasion had that experience?

A I have had it on occasion, but not on
this occasion.

Q On other occasions?

A Yes.

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BY THE CHAIRMAN:

Q Excuse me, while I think of it, if you did not have a fireman the answer to that would be dual control? If you had dual control you could have crossed over?

A If there was some type of dual control -- I don't know if there is or not -- that you could step across the cab, yes, you could do it that way.

BY MR. LEWIS:

Q What do you mean by some kind of control that you could step across the cab?

A Well, I don't know what developments have been made in dual controls, whether there is a kind that you can have two sets of controls cut in at the same time or not. Our experience we have is that you cannot have two brake valves cut in at the same time with the equipment we have today. One would be releasing the attempted application by the other.

Q Suppose, Mr. Doull, you had two controls and you stopped the engine, stopped the train and made the necessary switch over from one side of the cab to the other?

A Yes, it could be done quite easily that way by stopping and going through the required motions and changing over your control. In this case, this doubling, the brakes are cut in on each cut as you pick

them up so it would involve a little bit of time but not too much, I guess.

BY THE CHAIRMAN:

Q I am still getting educated and may ask what may appear to be foolish questions. If it was not done as I suggest, would there be such a thing as having a yard engine get your train ready for you to pull out, a dual control yard engine?

A Well, a yard engine may be turned in the other direction and get it ready and then it would just involve arranging a track, a clear track in the yard so we could run around to get back on to that portion of the train.

Q All right, I just wanted to know the possibilities

BY MR. LEWIS:

Q Then you doubled up on track 2 or you coupled on the part of the train you had on track 2 and what happened then?

A Well, I have a note here before I coupled on to track 2, Mr. Lewis, that I thought was interesting.

Q Yes, go ahead.

A It is just one of the things that turn up. I was approaching the switch connecting C lead with this cut out of No.7 when the helper called me to stop as a man had run out of the yard office giving him special signals.

Q Could you see those signals?

A No, it was on the left and to the rear, slightly to the rear. He was just about opposite the yard office at the time. Those signals were not given from any point of view of safety to him. It was to facilitate a movement that was coming, a movement backwards on the westward track. It was a work train engine and with this long double over we would block this track for a considerable time, possibly all of 45 minutes or so, and they just wanted to facilitate the movement.

Q When you say "they" you mean whom?

A The crew of the work train, probably the road master. I don't know who gave the signal but the man came running out and they would not have been able to stop or expect that the helper was able to see them, but having stopped us they then moved their own engine past and got by and we followed them down then, and it was just to facilitate a movement.

THE CHAIRMAN: The plan of this layout is a little hard to follow without a picture.

MR. LEWIS: For some reason I did not ask for a map of Moose Jaw and so I have not got it, Mr.Chairman. I have asked for a good many others but for some reason I did not ask for it. I was sorry to find that to be the case.

BY MR. LEWIS:

Q Then you coupled on to the train on No.2 and

presumably pulled out?

A Well, we coupled on to the rear portion of our train which was in No.2 and in the meantime the helper put up his white flags and checked the classification lights and we were there some time pumping up the air and making our brake test. The trainman had brought out -- when he first came out he had brought out the train orders which included a message to do some switching.

Q Yes, and, if I may, you did read the train orders and the head end trainman did and your helper did, I presume, did you?

A Yes sir.

Q As required?

A As required, yes.

Q And you set out on your journey?

A Yes, we left with 106 cars, 13,600 tons, and had instructions to lift 16 cars at a town called Mortlach and set one off at Chaplin, 11 at Herbert and four at Waldeck en route.

Q This, you told us, was a through freight train?

A A through freight train.

Q And you said that the first order was to lift 16 cars at Mortlach?

A Yes sir.

Q And did you do that?

A Yes, we lifted 16 cars at Mortlach.

Q Did anything of interest to the Commission occur

while you were lifting those cars at Mortlach?

A We arrived at Mortlach at 17 o'clock and to make our lift we had to cross over the eastward track and we only had 15 minutes time in order to clear an eastward symbol freight and during the movement everything was being worked fast. I had to get the helper to keep track of the time for me so I would know where we were for to line back the switches and stay in the elevator track or whether we could have time to get them and get back on our track again. That was to facilitate the movement.

(2) Q And when you say you asked the helper to keep track of the time, how was that done? Was that done just once or what?

A No, he reported the time to me more or less minute by minute as the time went and I was in a position to size up what was necessary in making this lift. It involved a couple of switches and, for instance, in his report to me, "it is 17.09" I knew we were pretty near finished so we managed to cross back over at 17.13 and clear the other track and we finished the movement.

BY THE CHAIRMAN:

Q You were going west on the right-hand track?

A Yes, sir.

Q You had to cross over the eastbound track into the yard?

A Yes, sir.

Q And pick up these cars and back out onto the westbound track?

A No, we backed into the elevator track to pick up the cars and then we would head out on the westbound track again.

Q Now, under those circumstances who was the boss as to when you go into the yard and when you go out of the yard and proceed west?

A Well, I had better describe the actual movement, sir.

Q Would you just tell me that first? Are you the responsible person or the conductor as to when you go in and when you go out?

A Well, it would be more or less equally responsible in that way in that I am at the head end and he is not, but all members of the crew would be held responsible if we did not clear that train and should have laid it out.

Q You would not proceed out onto the westbound track without a signal from the train crew?

A No, sir.

Q And the conductor is in charge of the train crew?

A Yes, sir.

BY HON. MR. McLAURIN:

Q The conductor is in charge of the train and if there is a difference of opinion as to what is to be done he is superior?

A Yes, sir, particularly in switching movements

they are all done directly from the conductor except where we run into situations like this one where the conductor had to go to the station to get the bills, which was a long walk up from the end of 106 cars. The station was probably up around the 40th car from the engine. In the meantime, the rear end man has gone across towards the elevator track and we run out and place protection and back over and go in there and the question was whether I would signal this head end brakeman to line the switches back, that we were staying in or not, and in that situation, working with the crew spread all over the place, it was more or less going to be a responsibility of mine at the time.

BY MR. LEWIS:

Q The responsibility as to whether you laid over?

A Well, under those circumstances --

Q The responsibility as to whether you laid over at the elevator track or would have time to clear?

A Yes. It is a question of observing the rules, is what it amounts to, whether you observe the rules or do not observe the rules.

BY THE CHAIRMAN:

Q You are saying that it is up to you to make that decision in this case?

A Because I am there in the vicinity of the

switches with the engine whereas the conductor is hurrying in this short time to do his bit of duty too in respect to the bills.

Q I just want to follow this. When you actually move ahead it is on a signal from a member of the train crew?

A That is right, sir.

BY MR. LEWIS:

Q I think I can make it clear this way. Suppose you had found that the switching took longer than you expected and the helper reported to you it was now 17.14 and you saw that you would not have time to clear the symbol train. What in that case would you have done?

A Well, regardless of any signals I would not have gone any place. I would have stayed there, observing the rule book. The rule book is then governing the movement.

Q And would you have informed the head end trainman or the conductor or whoever of the train crew was near you as to what you wanted to do?

A Well, that would be more or less up to whether he realized I was not coming out or not and signalled him to line back the switches.

BY THE CHAIRMAN:

Q When he got through what he had to do he would come back to the train. You would not move without him?

MR. LEWIS: Without --

THE WITNESS: Who do you mean?

BY THE CHAIRMAN:

Q I am sorry -- the conductor. When the conductor did and got finished doing what he had to do he would be back on the train before you would move out on the westbound track?

A Not before I got out on the westbound track but once we got out there we then had lots of time for any other things we had to do.

Q This is becoming a little plainer. You would cross the eastbound track to get onto your westbound track without waiting for the conductor at all?

A Yes, sir.

Q And that movement would be controlled by the two brakemen?

A In this case particularly by the rear end brakeman as the head end man would be protecting the switches.

Q Has he got this time in his mind?

A Oh yes. I discussed it with him first, but that is just another case of where I am talking about observation of the rules. I may have decided I had time to go out and that head end brakeman may have decided we did not and he would line the switches back and that would settle that part of it regardless of the authority of anybody else.

Q Quite, but I am speaking about this particular case. The brakeman who ultimately gives you

the signal to go ahead and cross the east-bound track, that is his responsibility?

A Yes, sir.

Q He makes the decision?

A Yes, sir.

Q And if you thought the time was too close you would not move?

A Or if any other member of the crew thought that, yes, sir.

Q Well then, I do not quite see how it can be your decision and the brakeman's decision at the same time.

A Well, what I tried to give you there, sir, was this, that I am on the engine handling it in accordance with various signals being given to me by the rear trainman and remember that I can size up what moves are being made and judge how long it is going to take us to make them and decide whether we are going to be able to do it or not be able to do it within the time allowed.

Q Do the whole thing?

A Yes sir, mainly from the point of view that I am in the position to observe at that time, and the only way I could decide whether we would have time or not is to know exactly as the moves were being made how much more time we had left.

Q Quite so, but you do not as the engineer make the final decision to cross the eastbound

track coming out. It is the brakeman who gives you the signal to go ahead and who makes that decision?

A Yes, sir.

BY MR.MARTINEAU:

Q Your only decision could be a negative one; that is, not to move if you thought there was danger?

A In the case of possibly any move of a train, a train may not move at all if any member of a crew decides there is not time to move.

Q That is an agreement, is it not, in the rule book?

A That is an agreement between the crew and if one objects --

A Well, the time would be in the rule book, sir. The time would be governed by the rule book, whether you had time to move or not. If in any man's opinion there was not time to move then he is the boss.

BY MR. LEWIS:

Q Would that situation be related, Mr. Doull, to a rule -- I do not remember the number but I think it is in the early hundreds. Oh yes, it has just been brought to my attention, it is rule 108 on page 65 of Exhibit 27. The rule reads:

"In case of doubt or uncertainty the safe course must be taken. "

A Not necessarily. In that case we were clearing a superior train and it is just the same as if you were running ahead of it or going to meet it or anything else. If someone decides you have not got time to

go to the next town the rule books this quotation of the rule book, governs you. That is all there is to it. In other words, the rule book is the governing factor in any train movement.

Q What quotation in the rule book, Mr. Doull?
I am sorry but I could not follow you.

A The rule that applies in any particular case.

MR. LEWIS: I see.

HON. MR. MARTINEAU: The second paragraph of rule 106 on page 64 of Exhibit 27 reads:

"Conductors, enginemen, and pilots, if any, are responsible for the safety of their trains and the observance of the rules and, under conditions not provided for by the rules, must take every precaution for protection."

MR. LEWIS: And the last sentence, Mr. Justice Martineau, goes on to say:

"This does not relieve other employees of their responsibility under the rules."

Therefore I gather that you would take into account the opinion of any one of the crew on the train with regard to the time?

THE WITNESS: Oh yes, if there was an attempt to cut short the time or violate a rule. That is what I am talking about.

BY THE CHAIRMAN:

Q How far away from you was the trainman who gave you the signal to proceed across the

eastbound train going out?

A The final signal -- he was about 16 cars behind me.

Q Well then, the benefit you got from the information as to the passing of time that the fireman gave you was to enable you to make up your mind at that point whether you would obey that signal or not?

A Yes sir.

Q All right, it is clear to me now, thank you.

Would this be a good time to adjourn?

MR. LEWIS: I am in your hands, sir.

I am not quite finished, however.

THE CHAIRMAN: Would you prefer to adjourn when you have finished this subject?

MR. LEWIS: I thought I might finish this first trip before the adjournment, if it is all right.

THE CHAIRMAN: All right.

BY MR. LEWIS:

Q Then you had orders to do some other things en route. Were those orders carried out or was there any change in them?

A Well, sir, we received a message at Secretan to cancel the previous instructions and take these cars right through to Swift Current.

Q And as you left Secretan did anything of interest to the Commission occur?

A Well, having picked up this message we had

been cancelling our other switching. It meant we would not have to stop at Chaplin, the next station.

The head end trainman then said that the second car, a car of steel we had picked up at Mortlach, was a repaired hot box and he was going back on the second unit so he could get a good look at it and he walked back to the second unit and on to the steps where he could get a good look at the running gears. That was to make sure it was not beginning to heat up again.

Q And how long was he away, do you know?

Did you take note?

A Oh, I did not take note of the time he was away, no.

Q And while he was away who was in the engine cab with you?

A The helper.

Q And then did you have any standing inspections after that?

A Yes, we made a standing inspection at Ernfold.

Q And did the helper do anything during that standing inspection?

A Yes, he drained the condensate from the air reservoirs and checked over the units -- the usual check of cooling water and so on.

Q So far it is clear, if I may, Mr. Chairman, from your evidence, Mr. Doull, that your helper did not make any check of the

engine while you were in motion. He made it at the standing inspection?

A He made none while we were in motion.

Q Pardon?

A He made none while we were in motion. We had stopped to do the switching and then we had stopped for our next standing inspection.

Q Were there any running inspections of the train made during this trip?

A Yes, the brakeman made a good many running inspections of the train.

Q Did you time any of them?

A I tried timing them and found I could not take my eyes off the road long enough to make any timing at fast speeds. At 25 miles per hour with 106 cars he spent two minutes and 40 seconds looking back. The only other place I was able to check him was with 122 cars. That was after we had made the pick up. This was at 25 miles per hour and he spent three minutes and ten seconds looking back and he also exchanged signals with the rear end at that time because we were passing through a town.

Q And were there any crossings when you were passing through this town?

A Yes, two public road crossings at different places, one each side of the station.

Q And was he exchanging the signals with the

rear end because he was required to do it, or what?

A Yes, that is one of the requirements of the rules, that if it is practicable he should exchange signals, and in this case the weather was clear and he could see quite clearly all the way back.

BY THE CHAIRMAN:

Q Do the exchanges also apply to passenger trains?

A Pardon?

Q Does that apply to passenger trains as well?

A No, sir, they have communicating signals if they have to do any communicating with the engineer.

BY MR. LEWIS:

Q What is the rule that requires the exchanging of signals, do you remember? Would that be Rule 90?

A Yes.

Q And do you have Exhibit 27 before you?

A No, I haven't.

Q Here is a copy. I just want to point out, Mr. Chairman, that if I remember correctly the second paragraph of that rule refers to freight, mixed and work trains. It says:

"Unless otherwise provided,
on freight, mixed and work trains in
motion between stations, conductors
and enginemen will see that trainmen

"are at the front and rear of trains...
in position to observe the safe
operation of trains and, when
practicable, exchange signals when
approaching and passing stations."

It appears to be limited to freight, mixed
and work trains. Passenger trains are not
mentioned there.

Then, I suppose, you arrived at
Swift Current eventually?

A Yes, sir.

Q And yarded your train there?

A Yes, we yarded the train in A yard, No. 2
Track, and doubled over on No. 3.

Q And in that doubling over was there anything
of interest to the Commission?

A Well, in this case, the brakeman had the
flag at the public crossing -- quite a busy
one -- and gave the signal for the back-up
movement over the crossing to the helper
there at that crossing.

Q Was that necessary that he give the signal
to the helper, or could he --

A The crossing is broken up in that the tracks
are at different portions. That is to say
there are three tracks at one place and then
there is probably -- I would have to guess
at the distance -- maybe 25 or 30 feet another
track and then another big gap and another
one, and they angle over. That is, they come

across at an angle on the crossing and we turned a bit, too, on a curve, so you could not see that. It did not interfere with him giving the signals to me except that the cars have a habit of coming on to the crossing to where the flagman is standing. In other words, they will use part of the crossing even with the flagman on it. That is, if he is flagging one track they will run over the other track right up to him, and the usual custom is for him to flag at the immediate track he is using.

Q And in this case this happened to be on the helper's side?

A In this case it happened where it made it necessary to give the signal to the fireman or else walk the 25 to 30 feet -- or probably, I guess, about 20 feet -- he would have to walk out to get in a position to give me the signal. And then after --

BY THE CHAIRMAN:

Q Excuse me, is that done by only one brakeman? Where was the other one?

A Well, the other one is lining up the switches that we use bringing the train into the yard. He would be coming up to the rear of the train about that time.

Q And where is the conductor?

A He would have just got off the caboose then and be crossing up to the station with his

bills. The tracks in this yard, they vary in car capacity. This one, No. 2, holds about 105 cars and the double over was fairly short.

Q This was the end of your run?

A Yes, the end of the run.

Q And if the conductor had waited to assist in that movement it would have kept him a little longer, is that what it amounts to?

A Well, it would take considerably longer. We could have cut off and cleared the crossing at the other end and waited there for him to come up quite easily, and then two men could have given the signal and still protected the crossing adequately.

BY MR. LEWIS:

Q Two men could have given the signal to you as engineer?

A A man giving the signal to me and a man protecting the part of the crossing we were going to use.

BY THE CHAIRMAN:

Q I have seen some of this switching, so to speak, across streets of that kind, and two men have been there, and you say that this could have been done in this case?

A Yes, a yard engine does it all the time, where the switchman will stand protecting the track they are going to use and the second switchman will give the signal to the engineer.

BY MR. LEWIS:

Q Then, after you yarded the train, did the helper do anything before leaving the engine?

A Well, he took down my white flag off the engine, applied both hand brakes, extinguished the red and white lanterns and he assisted me -- I do not think I mentioned as yet that I had defective sanders on Unit 8498, the second unit, and I had had them cleaned out in Moose Jaw and I gathered from the braking of the train at Swift Current that they were not working again, so he assisted me in checking them, which I could have done myself by taking a little more time myself. And I found --

Q Excuse me, but did you ask him to assist you or what happened at that point?

A Yes, I told him to apply the sanders. I was down checking the brake rigging anyway, and I told him to apply the sanders and he put the sander valve in operating position.

Q Yes?

A He also checked the engines and I told him to give particular attention to the lubricating oil level on Unit 8618. The reason for that was that it had been necessary to add 30 gallons to it at Moose Jaw, which had been noted on the Form MP-74, so I did not know how bad the leak might be. I wanted

to know whether the level was up or not.
As it happened, the level was quite o.k. and
nothing was required at Swift Current in
that connection.

THE CHAIRMAN: You mentioned Moose
Jaw. That was before you left?

THE WITNESS: Yes, it was, before
we left.

BY MR. LEWIS:

Q And the form MP-74 showed that this 30 gallons
of lubricating oil had been put in at Moose
Jaw and you wanted to check?

A Yes, it had been noted on the form MP-74.
While I was completing the two forms MP-74 --
that is, one for each unit -- and making out
the trip ticket, he just swept up the cab
and sort of squared things up. He was just
actually waiting for me.

We then proceeded to the booking-in
office and booked in, completed the register
and went off duty.

Q How long a walk would it be from where you
left the engine to the booking-in office
at Swift Current?

A Oh, I would say, on that occasion it would
be about 100 to 120 yards.

Q How long did it take? It was the time I was more interested in?

A I cannot give you the time. I did take the time, but I do not seem to have it noted, what time we left the engine. The reason I had the time of leaving the engine, because on my way from the engine I was stopped by somebody who wanted to talk to me and I know the fireman waited for me so we were actually overdue for being in there.

Q You were held up on the way to the booking-in office?

A Yes.

Q I suppose in connection with your work as local chairman of the engineers?

A More or less, I often get stopped that way.

THE CHAIRMAN:

Q You have told us all the things the fireman did during this time, but you did not ask him what he did, Mr. Lewis.

MR. LEWIS: That is right.

BY MR. LEWIS:

Q What did you do while the fireman did the things you have mentioned?

A Well, I took the both units off the line, cut off the generator field and moved the reverse lever; in other words, fixed the cab as required to be left. As I say, we checked these sanders at the same time; I checked my brake rigging and running gear

and completed the two forms MP-74 and made out the trip tickets. I believe I had something to book on the Mp-74 in connection with brakes, but I did not make a note of what it was and I have forgotten.

BY THE CHAIRMAN:

Q What is the time allowed for arbitraries for your final inspection?

A On run-through it is 15 minutes and on shop track 30 minutes for the engineer.

Q Was this run-through or shop track?

A This particularly one was shop track.

Q How long did it actually take?

A I believe we left the cab -- I marked down the time, about 20 minutes when we left the cab, and then had to walk back to the office and book in.

Q Would you say it took you less or longer than the time allowed for the arbitrary?

A I would not say it took longer than the arbitrary, a very few minutes less than the arbitrary time.

THE CHAIRMAN: Well, then, tomorrow morning at ten.

--- The Commission adjourned at 4.20 p.m. until 10.00 a.m. Tuesday, May 14, 1957.

BINDING SECT. APR 21 1972

